SOONER LAND

GEORGE W. OGDEN

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BY

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SHORT GRASS

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CHAPTER I

GRAFTERS AND HONEST MEN

Four years of picking had left Oklahoma bare and unprofitable for the grafters, tricksters, swindlers and adventurers who had swarmed there at the great opening in 1889. Even the most unsophisticated granger that ever put money down on the black pill under the walnut shell will learn a great deal in four years, and the population of Oklahoma, while no shrewder nor naturally apt than the people of Kansas, perhaps, had grown as wary as bass in a much-fished stream. A grafter must use new and cunning bait, indeed, to hook one of them in those September days when throngs waited at the border-lines of the last, biggest and best piece of the Cherokee Strip to be thrown open to settlement.

These adventurers who lived upon the efforts of worthier but less wise men, had grown shabby and lean waiting for the opening. Now the heart of the Strip, as it long had been called in the southwest, was to be unbarred to their entry at noon that September day, and they were there with their bundles of deceits and bags of tricks waiting just outside the little town of Orlando the departure of the first train that was to carry them into this new pasture.

Whatever fortune might attend them in that new

field, the grafters knew they must work swiftly, for it would be the last. Never more in the swift-changing history of this nation would there be another great free distribution of land, where the bars would be thrown down and the contest left to the fleet, the cunning, the enduring and the strong to snatch the best. Here in the new land there would be a brief season without restraint of law, except such lax federal jurisdiction as a dazed United States marshal and his drove of grafter deputies might exercise. All the little hampering laws of states and cities would be lacking; a grafter might breathe with freedom for a little while.

Certainly there were others than sharpers in that overflow on the northern border of the original Oklahoma that day, but it is a nice matter to discriminate between grafters and honest men when all are shuffled together, the same straining look of anxiety marking every face as impartially as the dust rising from the grinding of their many thousand heels. These adventurers of chance represented but a small portion of the throng crowding in and around the long line of passenger coaches, but they were the noxious seed in the sowing that waited the new land.

Here also were many who had come to Oklahoma to make the dash into the new country in preference to starting from the southern line of Kansas, where thousands had waited the uncertain opening day for months. The principal townsite, staked and ready for the inrush, was nearer by forty-five

miles to the Oklahoma line than the Kansas border. At this town the government land-office was located; the government had reserved an acre in the middle of the plat as a site for such buildings as the growth and business of the new territory might in time require. Speculators and business people were eager to locate in the new city—at that hour nothing but a railroad station, a crude plank building housing the waiting government clerks, and a few tents of the soldier guard—which, for the purposes of this tale, shall be called Cimarron. Old-timers who have memories may give it the proper designation.

So there was waiting the noon hour and the word to go a throng of several thousand people at and near the point on the railroad where this special train stretched out behind the steam-packed engine, which gasped with impatience at the restraint. It was a train of fifteen coaches and a baggage car, into which the railroad officials expected to pack three thousand people, a safe load if the engine could pull it, seeing there were but fifteen miles to go and no bridges of any account to cross.

While everybody was not trying to get aboard the train, it was certain that far more than three thousand had hopes. Already it was packed to the last inch of standing-room and, in spite of the trainmen's orders and threats, men were climbing to the tops of the cars. These were young men, who had high hopes of city lots, especially corner

lots around Government Acre, which lively imaginations calculated to be worth anywhere from five to ten thousand dollars each.

Even at a more conservative appraisement a lot in Cimarron was well worth trying for, as the history of real estate in the towns of Oklahoma had proved beyond a doubt. Especially true in the case of towns such as Cimarron, designated, surveyed and staked by the United States Government as a townsite. There would be nothing to risk but the filing fee if one could grab a lot, a condition especially appealing to thousands who trampled the earth to dust around the appointed starting-point north of Orlando that bright September day.

For these were mainly the empty-handed; men and women who had taken their chance on Oklahoma four years before and lost. They had hung on, in desperate hardships, most of them, waiting the promised adjustment with the Indian tribes and the opening to homestead entry of the historic Cherokee Strip. It was the surplus which Oklahoma had not been able to absorb that was overflowing into the Cherokee Strip that day, a lean and hungry horde, from grafters and come-on men to willing and eager farmers, carpenters, rough mechanics of various callings, all palpitating with the quickening hope of town lots in Cimarron which would requite them for their disappointments and bitter days in Oklahoma.

Although youth was well represented in that vast dusty throng, youth did not predominate, as

it is expected to do, and fittingly, in the adventures of this world. One might think that such an event would have an irresistible lure for youth, but such never has been true of any of the big land-openings since our paternal government went into the business of staging these events in a theatrical way. It seems that men and women must be disillusioned, and turned in hardship from their first quest, their youthful hopes, before they gain courage to send them pioneering in the wilderness.

Most of the people who swarmed at the officially designated starting-point north of Orlando that day were of middle age; many of them were old. But one never is truly old as long as hope is alive. When that animating ember is cold within him, a man does not go out to compete in a neck-and-neck race over rugged country for a quarter-section of land or a town lot. He is interested in no more land then than will measure off his grave.

So they were vigorous and eager, rugged, nimble of legs and strong, honest man and villain alike, in that sweating, dust-powdered army of the disinherited. Crusaders of hope they were, waiting the hour of noon and the signal, like winds held back at the boundary of a vacuum, to rush upon and swarm over the last great area of agricultural land the federal government had to bestow.

Not all assembled there were depending on the train to carry them into the new country, to be certain, although there were at least twice as many milling around the cars as were already inside and

on top of them. These were walking abstractedly, in a sort of dumb bedazement, looking up at the roofs like chickens investigating an unaccustomed perch, unable to understand, it seemed, that there was no more room aboard. They had calculated on going that way, and it was no comfort to them that another train was making ready to follow the first. There were enough people on that long train to supply a claimant for every lot in the original townsite, and nobody wanted to buy lots from grafters who would stake them out on adjoining land. At least not the first day.

The waiting train was drawn up with the engine's pilot at the line. Not an inch over the line; the patroling cavalrymen had seen to that. The train must take its chances with the other contestants in that race. Footman, horseman, wagon-driver, bicycle-rider—all were equal before the race started, not a man of them permitted to throw a leg over the forbidden line. One might set his toe to it, and brace himself for a spring, as hundreds were set, toe-holes dug in the sod like runners waiting the gun, but nobody except the unspeakable sooners who had sneaked in before the appointed day in spite of the soldiers' vigilance, had any advantage at the jump-off in the heroic race that soon was to set out in roaring tide-crest for the unpeopled city of Cimarron.

A few months more than four years had passed since a similar scene to this in almost every respect had been enacted on that very ground, except at

that time the invading host was headed toward the south. On that memorable day more than forty thousand people had stampeded into Oklahoma, filling up its homesteads and townsites. For weeks and months others had poured into the new country after the first rush, each of them hoping to run across a chance that somebody had overlooked. As a result, Oklahoma became uncomfortably overpopulated, for it was raw territory; there were no industries to furnish employment except the building trades, and there were at least five carpenters and masons for every job.

Much of this excess population drifted away to other fields, of necessity, there being nothing to live by in a land that had not yet made a harvest, but thousands remained, struggling along in such hardships as only hope can sustain men to endure. The promise of another great gift of land was before them; they waited as near the border as they could push, each of them in the belief that he would have better luck this time, and draw a prize out of the grab-bag that Uncle Sam was yet holding the puckering-string on with what seemed a selfish and dilatory hand.

Now the preliminaries were settled, the Indians were portioned off their reservations, and the Cherokee Strip was waiting the noonday gun to open its leagues of virgin land to the rush of these crusaders of hope. This Cherokee Strip, or Outlet, as it had been called back in the days when trail-herds were driven up from Texas to the new railroad in

Kansas, was not so vast in extent as the original Oklahoma, but it was a comfortable piece of earth at that. It averaged about sixty miles in width and, roughly, lay between the Cimarron River on the south, the state of Kansas on the north. This was not the exact southern boundary, but it is near enough to serve the purposes of this tale.

With the long lines of sweating, palpitating people which flanked the train, numbering thousands, carried and drawn by all manner of horseflesh and vehicles, this chronicle is not concerned; nor with other trains, passenger and freight, which were drawn up behind the first, laden with all the furnishings and provisions for the new city that was to spring up on the plain; nor yet with the hundreds of men and women who packed the coaches from roof to rods—for some women had been boosted to the tops—or sat in windows, feet inside, clinging on desperately, resolved to endure any discomfort in the knowledge that it could not last long. Not with any of these is this chronicle immediately concerned, but with two men, out of this weltering throng, thrown together by chance, strangers before that hour, at whom fate was grimacing behind her hand in anticipation of the adventures she had checked off for them in the turmoil of that new land.

CHAPTER II

COMPANIONS IN ADVENTURE

THESE two men were seated in the first car, an enviable position shared with some three hundred others, not counting those on top. They had been able to get aboard and inside while the train was pulling up to the line, due to the agility of youth, willingness to take a risk and lightness of packets, which they had carried corded to their shoulders like soldiers' marching-kits. It had been a rush and a scramble, in which blows and bruises had been given and taken, and ungentlemanly use made of toes and heels. But they had made it, and they had a seat, and that seat on the right, or east, side of the car, which was the side of the choicest lots in the townsite, according to report.

Now they had eased themselves of their packs, the rush well over and breath caught, and were looking at each other with a sort of sheepish triumph, not altogether proud of the methods of fist and foot employed to get them there.

"Kind of rough-house goin', pardner, wasn't it?" the man on the aisle-end of the seat remarked.

"I lost more hide than a mule goin' through a barb-wire fence," the man next the window replied, grinning ruefully, feeling around the protuberances of his countenance for places where the bark was

knocked off. "It was rough-house work, sure enough."

This man was a straight-backed lithe chap, somewhere around thirty; a long-headed man, with a rather serious and solemn face that seemed fixed in an expression midway between sour contemplation and a bashful grin. His face was narrow, his nose high and thin, his drab-brown hair cut almost indecently short, it seemed, especially in consideration of his large, thin, leaf-like ears which stood out denuded and unfended in the general desolation of that close harvest. His eyebrows were several shades lighter than his hair, almost colorless, and his mustache a degree darker except at the ends, which were bleached by sun and weather, for it was a long and gallant mustache, although not notably heavy, extending when spread well beyond the lean cheeks which nourished it. His eyes were blue Nordic eyes, and his long, somewhat sharp-roofed head was a Nordic head, of the type that, once planted with a determination, would see things through to the end, win or lose.

The man beside him, who had come through the scramble to get aboard without any visible abrasions, was a model of concentrated physical force. He was short, compact, so hard from head to heels that he would have turned a nail. Especially his head, which was scarred and lumpy, and shingled in the most original style of any head on that train. It looked as if a mule-roacher had been at work on him with a pair of clippers. His hair,

which was black and wiry, was cut skin-tight all over his head except for a strip about three inches broad from crown to forehead. This strip, which looked like a piece of uncut wheat in the middle of a field, was about an inch long. The hairs stood on end with savage unanimity, like some instrument for polishing hard surfaces, or rasping rust from iron-work.

He had a round, bowlder-hard looking head, and his features were bunched as if some one had maliciously taken chin and forehead between the hands and squeezed them together while in a plastic condition. He had no more chin than a hen, but a remarkably wide, shallow forehead, a humorous bit of nose, a large, firm-looking mouth with combative expression at the corners of the lips. His ears were small, pointed like a satyr's and, taking him from deep chest, hard bare arms to his small, booted feet, he looked like a mean man to handle once he had set himself in a contrary way.

"Women," the short man said.

"I see," his seatmate nodded. "Some of them got on, tough work as it was."

"Always some fool sucker that'll give way to 'em," the short one commented, twisting his head in gesture expressive of complete education in the tricks of women. "This is a man's game; they've got a right to keep out of it."

"Yes, but I suppose we'll have to step aside for them, as we always do, even if we lose by it. But

most of these women are able to take care of themselves. They're no chickens, you notice."

"I know I ain't goin' to give up my lot to one of 'em, chance I git one, no matter if she faints and falls back in it. I'm a tender-hearted man, only this don't happen to be my tender-hearted day. We can beat 'em off of this here train, anyway, pardner."

"I figured on that when I made a fight for a seat by a window," the mustached man replied. "If we got chocked in the door with a bunch of women ahead of us everything'd be gone before they'd get up the nerve to jump."

"They say the best of the town lays to the east of the railroad. If it does, we're all set to hop some ace-card lots."

"Will your bundle of stuff go out through the window?"

"Yes; I'm runnin' light, same as you."

"Mostly grub," said the mustached man. "My tent and stuff will be along on one of the trains behind us, with several thousand more from the looks of things."

"Everybody's headin' for Cimarron," said the tender-hearted man, "aimin' to nail a corner lot worth ten thousand dollars—more or less, considerable less, if you want my opinion on it. If I git one and anybody offers me two thousand it'll change hands on the spot."

"I don't know," the other demurred thoughtfully. "You remember Guthrie and Oklahoma

City. They got ten thousand for them there, and more than ten thousand. But Cimarron may turn out a fizzle—blow up in a month or two and settle down to a little farm village."

"That's what I'm thinkin'. My opinion is it'll have more inhabitants and population the first day than it'll ever have any more in its life. All these people on this train, and strung out there three or four miles on each side of the track all set to go, they're on the make. They ain't goin' to Cimarron to build a city and put in water-works and things; they're goin' to hop lots and sell 'em, same as me and you. Well, say: we'll go out through the winder when she stops, hey?"

"Before she stops. When she slows down enough to make it safe I'll swing out and drop. You chuck the bundles out and follow. We ought to be among the first off, or the first few hundred, anyway. That'll put our chances somewhere near the front."

There was such a noise of voices around them that their own were submerged. They spoke close to each other's ears, keeping jealous eyes on their place to see that nobody straddled their luggage and wedged in by the window, as forward ruffians were doing with more timid seat-holders near at hand. They did permit an evangelical looking elderly man with long black coat, and beard almost as lengthy and quite as black, to sit on the arm of the seat with his feet in the aisle, where a close-packed line shifted and jostled.

This man had a weary, hard-pressed, hollow-eyed appearance, and he was a very dark-skinned parson, if parson he might turn out to be. He wore a broad-brimmed, low-crowned black hat, pulled down low over his sorrowful, worried eyes. The man with a mustache put him down as a Mennonite or Dunker, or one of that sort that goes in for whiskers and no collar. He had such an air of patience about him that it was almost an affront, like any overvalued virtue unseasonably displayed, in that superheated, throbbing crowd.

Whatever his profession or business, he knew enough to keep out of talk that did not concern him, and take care of his feet in a trampling crowd. As there was no place to dispose of these extremities except the aisle, through which people were continually pushing and struggling in attempt to better their situation, the black-whiskered man had put his pack on them.

And that pack, being almost as big as a cotton-bale, was sufficient to turn such trespassers and draw many a heated observation from those who stumbled against it, and furiously inflamed glances and maledictions upon its owner. All of which the ministerially garbed man allowed to pass without answer or comment. He sat on the uncomfortable narrow arm of the seat with such a look of long suffering and silent enduring in his dark-ringed hollow eyes, that it seemed as if the world had done him its worst long ago and had no new im-

positions which could wring a whisper from his whiskered lips.

"Them fellers a-horseback they're goin' to skin us a mile in this race," the tender-hearted man observed.

He was peering out of the window at the long line of miscellaneous vehicles and animals—some of the boomers were even going to make the start with their cows tied behind their wagons—his shallow chin giving the lower half of his face the appearance of lacking some important part in his works. His eyebrows ran straight across his forehead in continuous, heavy black line, like a poker-mark. This line he pulled down in the middle, over the bridge of his nose, when he concentrated on anything, as now, a grimace which lent him a fierce and furious cast.

"They'll have the advantage at the start," mustache admitted, "but they can't hold it. We'll pass most of them before they've gone five miles."

"S'posin' the ingen can't budge this blame train, then what're we goin' to do? Lis'en at 'em on top of our car—trompin' like they'd bust in the roof. Danged if they ain't got a ladder—look at 'em climbin' up like a string of ants! They'll bust 'er—they'll bust 'er sure as hell!"

The trainmen appeared to share the same fear for the roof of the car, and other cars in the long string. They were out with clubs, driving the reckless boomers away from the sides. No more

could mount the roofs from the ends, platforms and steps being packed to the utmost inch. The conductor proclaimed in loud and profane words that he wouldn't move the train an inch if another person got aboard, alow or aloft. He ordered those on top to come down, more as a matter of duty than in any belief that they would comply, and set his brakemen to clubbing those who had established themselves on the truss-rods under the cars.

But authority broke down before that silent determination and sullen defiance. The brakemen menaced, but did not strike, and the rod-riders remained where they were. The fireman had up a head of steam that was roaring out of the safety-valve, the engineer was sitting with hand on the throttle, eager and intense as if he stood at the line mounted on nothing but his own legs—as many a better and worse man stood that moment —waiting to plunge away in the heartbreaking run of fifteen rugged, roadless miles.

From an eminence a quarter-mile or so east of the railroad, the little field-piece manned by the patroling soldiers boomed the signal to go. At once the waiting line broke like a wave flattening and spreading on a beach, the free runners and riders leading, the lumbering vehicles coming after in lurching labor over the uneven land. The start of the multitude was made with yells and the sound of belabored equine ribs, a rising turmoil that quickly became a roar; with a wild cheer from those in and on and under the train, a cheer that

sank with sick faltering when the shock of the expected start did not come.

The engineer had pulled the throttle a judicious little at the flash of the cannon, even before the sound reached his ears; and when the big engine had only shivered, coughed and stood still, he had given the lever another cautious, coaxing jerk. Just a bit too much that time, misjudging in the stress of that exciting moment, the vexation of seeing men on foot speeding away from him like rabbits. The driving-wheels spun on the rails, steel on steel in a steel-blue smoke, burning the mark of that spot in friction-melted hollows; a great pillar of steam-white smoke rose high, not a signal to guide the stampeding hosts upon their way, but standing at the starting-line to show them how far they had gone.

There was silence aboard the train during those doubtful moments, when men felt hope running down to their bootlegs like some precious prescription upon which their lives depended. They leaned and strained, in the fatuous way that men strive to lighten their bulk when some force besides their own is laboring to move it, or when in a boat, waiting for a wind. The engineer caught himself in his passing panic, shut off the steam and fed it to the panting engine in nursing doses. Slowly the ponderous weight of the long train moved, wheels groaning on rails, flanges whining against them. Slowly, slowly; jerking with each piston-thrust, moving lamely, like a man with chains on his legs.

The people who freighted the train, having come so close to disaster and blighted hopes, hadn't it in them to make any noise for a little while. But as the engine's driving-wheels gripped the rails, surely gaining speed, the jerks of the pistons coming faster and faster, the short man with the black line of eyebrows across his forehead drew a mighty breath and let himself down from the most precarious perch of uncertainty he ever had mounted in his life.

"Everybody grunt!" he yelled.

The whoop rising from that car broke the tight compress of suspense all over the train. If there had been a heart in that laboring engine it would have bounded with the swelling acclamation, as the engineer's chest enlarged with self-credit for his achievement.

The train slowly gathered headway, and presently began to overtake the hindmost of the boomers in their wagons. But for a long time, as it seemed to those aboard, the runners kept ahead, although the engine overhauled the fleetest and most enduring of them within the first two miles. With every laboring wagon, every panting runner overtaken and passed, the people on the train checked off one competitor and gave a cheer for themselves. There was no spirit of sportsmanship in that crowd; there was no appeal in the pluck that started men on a fifteen-mile run, no cheers but cheers of delight at seeing them bested so soon.

These whoops grew wilder as the train began to

roar along at twenty miles an hour, it having taken the engineer a third of the distance between his starting-point and objective to attain that speed. Now the fleet horses were being overtaken, passed, left far behind. As they were passed in the race the train-riders exulted, beginning to feel at last that they were to have the field for town lots to themselves.

Many of these mounted boomers, seeing the overloaded train attain this unexpected headway, gave up their design on town lots to stop on the choicest pieces of farm land. Others of them persisted in the race, having entered it with the firm resolution to get a lot in Cimarron, trailing the train in hundreds, knowing it must begin to slacken its pace while yet miles from the townsite, when they hoped by a sprint to overtake it and at least have an even break with those on board.

The broken, scrubbily wooded country from which the start was made had been left behind. Here the railroad drew a straight line across what seemed a limitless grassy prairie, flat as a lake, with nothing to break its serene monotony but a clump of bushes or prairie brambles here and there. In this vast flat, close beside a little river from which its water supply was to be drawn, the unpeopled city of Cimarron lay, its white stakes like headboards in a burying-ground.

While a good three miles from the stopping-point the engineer began to test the airbrakes. It wouldn't do to go plunging through, carrying that

wild crowd of adventurers past. No telling what vengeance they would inflict on a miscalculating engineer in such unfortunate event. Only that particular engineer didn't need more than one guess, being wise in his generation. He began to make sure of stopping in due time, the result being as the swift riders had anticipated. They began to draw up on the train; to run neck-and-neck with it; to pass it in the unsparing frenzy of their tumultuous desires.

This spectacle was not a heartening one to the people on the train. Their spirits sank, their exultant whoops were stilled. If curses could kill a railroad engineer that one would have been blasted to a cinder with his hand on the throttle-bar. They could see the tents of the cavalrymen in Government Acre, their horses tethered in a long line, and the white stakes of lot boundaries, among which the foremost of the victorious horsemen were making their way. There were enough of these winners to put a man on every corner lot worth a horse. Visions of ten-thousand-dollar lots flapped away out of that train like a flock of crows.

The two chance partners in the forward car leaned and looked hard out of the open window, their packs ready to be chucked out after mustache the moment he hit the ground.

"Any man's a damn fool to bet on a railroad train in this country!" the shorter of the pair said, bitter as aloes in his implied denunciation of that cautious engineer.

"It looks that way, pardner," the other agreed, the sound of a very low spirit in his voice.

The train was pulling up opposite the soldiers' tents, which stood about a quarter-mile from the track. It was moving slowly, yet too fast, it appeared to the mustached man, who was now braced with head and shoulders out of the window, to drop to the ground with safety. There was a man protruding from every window of the car, and every car in the train; those who had ridden the steps, clinging precariously with numbing, aching arms the hour that had been required to make the run, were swinging low, letting down their feet to test the speed, ready to flip off, strike the ground running and finish the race.

Now, before anybody on the steps or in the windows felt it safe to land, those on top the cars began to drop. The sight of some of them—but not many, miraculously—lying with broken arms or legs where they landed did not deter others. They came plumping off like raindrops from eaves in a wind, imperiling those who hung out of the windows, sowing the new land with an ungainly seeding, counting all risks light in their hungry desperation.

The mustached man drew himself into the car, reversed his anatomy and began projecting himself feet first through the window, the short fellow holding to him with encouraging words, easing him gradually through the opening as if he fed him into a mill that consumed him like a piece of pork in a

sausage-grinder. With all his caution the mustached man was the first to venture through a window, the train being yet some distance from the station.

He hit the ground galloping, ran a few immense, grotesque strides and pitched sprawling under the momentum of a pace too fast for even the length of his tolerably long legs. But he was up in a breath with an exultant whoop and a wave of the hand. The chunky man pitched the packs out after him with an answering shout, upended himself and went through the window like a railroad-tie pitched out of a boxcar door by a jerry.

But his chance partner had not waited longer than to see him come clawing on hands and knees to his pack, and hear him denounce in bright jets of language the carelessness of a man who dropped from the top and landed across his legs. Shorty was not hurt, aside from some skin off his face; that was all the mustached man paused to learn.

Pack on his back, mustache bounded off at a pace so rapid those around him seemed to be running against a wind. Within half a lap he was leading the field, and the chunky man, rising in a daze, pack under his arm, gave him a shrill, far-carrying, friendly cowboy whoop to help him on his way.

CHAPTER III

A CITY OF ENCHANTMENT

WHEN the short man got his breath after that big whoop, he shouldered his pack and struck out after his vanishing friend. He did not know his name, nor where he came from, what he had been, was or hoped to be, but he felt that the genial cuss would be a good man to tie up to in the new city of Cimarron, where a fellow might need help to hold down his chunk of ground, let him be so lucky as to find one unoccupied. People were going to be sudden in their dealings in that town; two pairs of fists would be twice as good as one in the controversies which were bound to arise.

So thinking, the short man plunged on in his high-heeled cowboy boots, keeping his friend's pack in sight, able to follow it with his eyes among the shifting backs and darting figures of men and horses by the red handkerchief tied to its strap. They had agreed on identifying themselves for each other's eyes in that way, mustache with a red handkerchief, shorty with a blue.

But before the stubby cowboy had crossed the railroad right-of-way, which appeared to him inordinately and unnecessarily broad, the red handkerchief had drawn off an alarming distance. Now he saw it, now he lost it, his heart hopping and

sinking alternately according to his success, for he had a feeling that his fortune was somehow bound up with that man's, and losing him would mean the loss of all.

The townsite was a favorable place for following the movements of a man. If it had been leveled by engineers for the purpose it scarcely could have been done more satisfactorily. There was not an inequality on the entire site except a small gully here and there, not an eminence rising to the height of a wheelbarrow. It was flatter than a pancake; it was as flat as the griddle itself.

All the lots fronting on the railroad property were taken before the stubended cowboy reached them, mainly before the first man let go his perch and rolled off the roof. The hard-riding boomers who arrived a few minutes ahead of the train had preëmpted those lots, with an eye to business and immediate returns. Scores, hundreds, of others had spread over the townsite, which comprised one section of land, picking the most likely corners as well as men and women could judge future possibilities in a town whose only house up to that hour was the government land-office, and that not very promising to behold. This difficulty of selection was so bewildering to first arrivals that many of them wasted their chances by galloping foolishly over the field, unable to fix their choice on any spot until the best of all were gone.

Due to this confusion and indecision, together with the swiftness of his legs and the strength of

his wind, the mustached adventurer was able to find two unoccupied lots on the street which, he saw by the width between the lines of stakes, was set apart as the main thoroughfare. Under the law each person eligible to homestead rights was permitted to take up two lots in one of these government-platted Oklahoma townsites. Holding them was another thing, to be sure.

Mustache put his pack fairly down on the line between the two lots, which he straddled, opened the bundle while the whirl of chance-locoed humanity rushed around him, got out an altogether competent-looking gun and slung it around his tank. So he stood, ready to raise considerable dust if anybody should feel called upon to ask him to divide his winnings, keeping a wide eye out for sight of his stubby companion of the train.

He had not been straddling the line very long, but long enough to urge several covetous, wild-eyed boomers off and convince him that holding two lots would be something more than a one-man job, when his chance partner of the train arrived. The short man was sweating and puffing, hat off, his bristles gray with the dust that hoofs and trampling human feet had already set rising out of the closely sodded ground.

The short man paused to wave his hand and shout:

"I see you're all set—good luck to you, pardner!"

With that he started on, to stop at the other's hail.

"What's your rush?" mustache asked him, regarding him with humorous amiability.

"I'm goin' over to the edge of town and see if I can ketch me a lot."

"What's the matter with this one?" the chance partner wanted to know, indicating the one under his left foot.

"I ain't a goin' to pull no lot out from under you, pardner," shorty answered, assuming a cold dignity which he did not feel. For that was a beautiful lot in the eyes of a man whose chance had outrun his short legs.

"If you don't take it somebody else will. I'm not goin' to shoot anybody to hold it, and I'm gittin' darned tired straddlin' out over this much territory. I've got two of 'em here—come on in and make yourself at home."

Shorty stood a little while, apparently thinking it over deeply, but in fact at some restraint to hold himself from jumping over the line with a whoop.

"Well, pardner," he appeared to yield at last, and not without some feeling of humiliation at being under this obligation to a stranger, "seein' you've got two, I'll step over and take one off your hands. But I wouldn't take it from no other man alive. I knew you was square when I seen the cut of your back goin' in that car door. My name's Zickafoos."

"Howard—Oliver Howard. Noll for short."

"Pleased to meet you," said Zickafoos, soberly

proffering his hand. "They call me Jake when dinner's ready."

Noll Howard looked around the busy plat a moment before kicking his opened pack over to his own lot, the standing threat of humor in his long face breaking in an outright grin.

"Pretty good situation we're landed in, Jake, if anybody asks me."

"Hadn't 'a' been you can run like a jackrabbit we wouldn't 'a' had a smell," Jake replied, still wiping his red face.

He replaced his dingy white hat—it had a shoestring laced around the crown in place of a band, by which he adjusted it to his head according to the weather and the condition of the hat, and eased himself of his pack.

"Gosh! look at 'em come!" said Noll.

"And that train ain't half empty yet. You and me sure was lucky to nail that seat where we could slide out of the winder. You ain't seen that old preacher feller?"

"No. I'm afraid he'll never get out of the car with that big bale of goods till everybody else is clear."

"Looked like he was goin' to start a store, didn't it? There's a woman—look at her—there's another one!"

"Not much show for them in this crowd," Noll said, watching them with curious interest as they came pelting by in a herd of late arrivals from the hindmost coaches of the train.

"They expect some tender-hearted feller to step to one side and give 'em a lot. That's their only chance, 'less they jump somebody's. Looks like every lot in this blame town's took already, and more folks a-comin' from Indianny and points east. Feller! look at 'em a-comin'!"

"And two more trains behind. We're in for some lively times the next few days, pardner."

"Well, we're set, anyhow, and I'd like to see the slant of the feller's teeth that's goin' to jump this lot. But I'd 'a' felt more like a full-growed man if I'd 'a' carried my end of it with you from the start. I never could run with my boots on, and I can't git 'em off 'lessn I've got a bootjack or a wagon-wheel to wedge my heels in between the spokes. From the looks of things it'll pay me to keep 'em on for some days, ready to hop to it and claw dirt if anybody tries to jump these lots."

"Somebody'll try it, all right; they always do in these towns."

"Well, I've got my old gun in here, and she's got notches in 'er han'le—I filed 'em in 'er when I was workin' on the XIT over in the Panhan'le to make them fellers think I was some hombre. I never pulled her on a man in my life, but that's not sayin' I never will."

During these few moments while the partners had stood talking across the dividing line of their lots things had been changing rapidly in the new city. Tents were going up on many lots, the great desire of the holders being to raise some evidence

of possession which would relieve them of constant watching and warning against that nefarious pest of these boom towns, the lot jumper. Possession was the vital point until title could be taken by filing a legal description of one's holdings in the United States land-office, a most unpromising and diminutive branch of which stood on Government Acre, the flag flying over it, clerks and registrar within, ready to receive business and fees in due and ancient form.

People were streaming in droves along the stake-marked streets, most of them respecting the newly acquired property of the more fortunate, but overly eager or less meticulous ones now and then straying upon some zealous lot-holder's domain to be warned off with proprietary hauteur or wrathful suspicion. Personal engagements were becoming frequent as the outgrowth of this strict patroling by lot-holders, some of the rows grounded on nothing more than resentment on the trespassers' side, suspicion of their designs on the other.

There were some disputes, however, in the vicinity of the partners' holdings over priority of possession, and clashes in which nothing more than fists had figured up to that hour. The patroling soldiers were called in by one or the other of such disputants, to no satisfaction on either side, as they invariably said they could not judge between claimants, that being a matter for judicial adjustment in the due course of law, when there should be law and judges, and all the clutter of civiliza-

tion, installed in the new territory and town. Until such time the soldiers would endeavor to keep a sort of peace—they did not consider mere fistic engagements any serious breach of decorum, and bore no hand in quieting them—and the man with the biggest bluff would hold the lot.

The United States marshal for that neck of the woods, with a company of deputies, was on the ground somewhere, but apparently not where needed. It was said the deputies, who had been commissioned and sent in ahead of the rush, were busy placing their friends on the choice locations and helping them hold on against worthier and more lawful claimants. This same scandalous proceeding had taken place in Oklahoma. Deputy United States marshals, and all government employees, together with such other people as were admitted prior to the opening, were barred from exercising homestead privileges. They could not take land anywhere, nor lots in the government-platted townsites, but this did not deter the numerous deputies from aiding certain sharpers who mysteriously appeared well ahead of everybody else, hopped the quarter-sections adjoining the townsite, and immediately began to lay out additions to take care of the overflow.

This proceeding was under way at Cimarron before the first man had rolled off the train and made a streak for the townsite, or the first horseman had ridden his sweating mount into the staked streets. Where these promoters came from, how

they traveled to arrive so much in advance of every legitimate boomer when neither Fords nor airplanes were yet known, never has been satisfactorily explained. They seemed to spring up out of the ground, with surveyors, transits, chains and bundles of sharpened stakes, and to have everything ready to catch the overflow as it spread beyond the government townsite.

These promoters, under full protection of the deputy marshals, had posted a big canvas sign while the two partners stood gabbing across the line of their lots. It was the sudden trend of people in that direction which fixed their attention on it. The canvas flared these words, in big red letters:

WEST CIMARRON
LOTS $100 AND UP
PERFECT TITLE GUARANTEED

With Government Acre, streets and alleys out, the original section platted by the government cut up into not more than three thousand lots. Together with the swift riders who had beaten the train, and those arriving by rail, these lots were gobbled up like a handful of chopped meat by a hungry dog. There were not enough, by a thousand or fifteen hundred lots, to go around among the first arrivals.

Fortunate people who had taken up land adjoining town in preference to lots within it, now found themselves in the road of rapid and feverish for-

tune. Speculators came with bales of money in their hands, offering to buy possession, the boomer occupants having nothing else nearer approaching a title to convey. They sold out at dizzy prices, other gangs of surveyors were set to work, other additions were announced on paint-wet banners.

The partners retreated each to the center of his lot, disposing their packs conspicuously to show occupation and improvement, as Jake put it, and were now too widely separated to carry on a conversation in the increasing tumult of that rapidly growing town. Noll walked a little beat along the front line of his lot, watching the town take form around him like some fabric of enchantment.

Where lines of low white stakes had marked that street but half an hour ago, tents were rising in sufficient numbers already to give the thoroughfare a skeleton form. Wagons were coming; merchandise which had been shipped in ahead was being conveyed to sites along Avenue A, as the government had unromantically designated the main artery, and being spread under hastily propped canvases or in the doors of tents. A little way along from Howard's lot there rose a long canvas sign announcing a famous brewing company's beer, cases of which were being unloaded from a wagon and piled in the open.

Business began on that spot at once, hot as the beer must have been, for there was no water to be had on the townsite nearer than the creek which cut one corner of it. No lot-holder would risk visit-

ing the creek while things were in that unsettled state, no matter if his tongue clattered like a wooden clapper against his teeth.

Almost directly across from the partners' location a very small tent had been raised, across the peak of which two men were now stretching the banner they had prepared in advance and carried with them. It announced the firm of Wrigley & Dye, Contesting Lawyers.

That flaunting banner seemed an invitation, a provocative call, to those milling, sweating, panting, avid, disappointed people who had come too late, and were increasing in numbers every moment, to put down everything else and pitch into trouble. Here stood a pair of lawyers, crow-lean and hawk-hungry, ready to involve the most trivial dispute into a suit at law that would stand undecided in the courts for years. Many such cases were started in Cimarron that day; the courts of Oklahoma are scarcely clear of them yet.

A tent was rising on the lot adjoining Jake's, a wagon having deposited a jag of stuff there. Many of the first arrivals in wagons had turned to the delivery business in spite of their weary teams, hard-pushed over that long rough drive. Howard considered a trip to the railroad freight-shed to see if he could find his own shipment, meanwhile watching the small, nimble-stepping red-bearded man who was setting up the tent next to Jake.

The job was soon accomplished, the owner's possessions conveyed inside, when he made his ap-

pearance with a roll of canvas and two stakes. Another business, Howard supposed, waiting with interest the spreading of the sign. The stakes were easily and deeply driven, that being a favorable soil for planting signs as well as crops of more useful forage, and the canvas tacked in place. It bore at one end the head and neck of a black, snorting, astonished, somewhat resentful-looking horse with red nostrils widely distended; traced over its remaining space were the words:

DR. DEGARMO GREEN
VETRINARIAN, SURGEON. DOCTOR OF THE HORSE.

Noll's own neighbor was less interesting. This was a slight, timid young chap who had arrived some seconds ahead of the foot-going boomer from the train, one of the first riders to reach the townsite. He was well mounted, and appeared solicitous of his horse above all other considerations. Ever since dismounting on his chosen lot the young boomer had been rubbing his tired horse down with a cloth—Noll was certain it was a towel—and sticking so close to the beast it had been impossible to get more than a glimpse of his face, which appeared rather callow and immature for such business as had brought him there on that whirlwind of hungry adventure.

Noll dismissed him lightly, with the belief that he'd soon have a different sort of neighbor on that side. Some jumper would come along and dispossess the kid, who did not appear to be over

seventeen or eighteen. He'd have a hard case trying to prove himself a man, gallantly as he must have ridden that long-necked horse to arrive there among the first.

It was sundown before Howard got his shipment located in the confusion of much business at the railroad freight-office; nearly dark when he found a teamster with the time and inclination, who could then be only indifferently interested in the offer of another job and five dollars, to haul the stuff to his lot.

That had been a profitable day for many a man who had come driving in after every lot was taken. Such a rain of prosperity seldom had drenched them, shiftless fellows, largely, whose sole possessions were their bony teams and rattling wagons. The run of good fortune had made them overbearing and insolent, where they were not indifferent or greedy, as if they calculated on that condition lasting indefinitely. Many of them had the weight of more money in their pockets than they ever had carried before in their lives.

As Jake Zickafoos had no tent, nor any worldly goods than those he had carried into Cimarron in his pack, the partners concluded it would be a good scheme to pitch the one tent so it would stand across the dividing line of their lots. In that manner one man could hold possession for both when the other was absent. At night each man could sleep on his own property, and everything would be snug and safe. Theoretically so, at least.

Night fell on a city of seven or eight thousand people where there had been nothing but a vast grassy plain eight hours before. Hundreds of acres were covered with tents and wagons; the dusty, uncomfortable, thirsty, yet eager and hopeful inhabitants swarmed the canvas-walled streets going and coming on many errands, the chief of them being the conveyance of water from the creek.

There was a breathless rushing in the movement of the roughly clad throngs, few lot-holders having been able to get into the land-office to file on their possessions that afternoon. When thirst at last drove these unregistered ones to the creek they went on a gallop and returned on a trot, slopping water from their pails, for it was a hazard to leave a lot unguarded for even a minute, no matter for the visible proof of occupancy one might be able to leave behind.

Claim-jumpers were beginning to work their villainous, underhanded, cowardly schemes; no man knew when he left on an errand of pressing necessity whom he should find on his precious little oblong of ground when he returned. They were not fighting men, take them as they ran, those new inhabitants of that new city of Cimarron; few guns were to be seen swinging on them, although many were wedged into pockets—stubby, wild-shooting ones which could not be produced with sufficient celerity to meet the swift exigencies which arose in Cimarron that night.

Too often the worst fears of a man were realized

when he returned with his water-bag or slopping pail. Many a controversy, loud, wordy and profane, arose, adding the sound of conflict to the swelling confusion of noise so strange to that hitherto silent, empty plain. There was some shooting, mainly futile, in a few cases fatal, the jumpers being almost invariably first to their guns.

In these disputes there was nobody to adjudicate, nobody to interfere officially. Certainly the soldiers, of whom there were few, and the deputy marshals, of whom there were many—a blustering, over-important gang—interposed when possible to prevent downright homicide, but they seldom were on the spot when needed. The rule in Cimarron was founded on the precedent of Oklahoma towns of like character, in which possession had been accepted as chief evidence of rightful claim.

This rule, unfair as it might appear to the victim of some prowling jumper, was indeed about the only one that could justly apply. It was as fair to one side as the other, all considered, for a rogue could protest as loudly as an honest man that he was the original holder. Priority, indeed, had no weight in anybody's reason. The man able to hold the lot, no matter if he sneaked on it during the ethical owner's absence, was the one who stuck.

Not that the rogues who made lot-jumping a business wanted to hold on in many instances. Their scheme was to bluff the claimant into buying them off, the price of withdrawal being graduated according to the situation and potential value of

the ground involved. A good industrious jumper could turn several deals in the course of a day, coming out far richer than he would have been if he had taken his honest chance among honest men.

Nobody molested the partners, probably on account of the guns swinging on them and the front of confidence and determination which they presented. Jake made a jump to the creek with the two water-bags, bringing back a sufficient supply for that night; they kindled a fire on the property line, cooked supper and regaled themselves comfortably. Their feeling of security, of fortunate location, the tumult of the moving crowds, the sounds rising out of the vast city, its inhabitants so thinly roofed against the night, gave them an added sense of well-being.

There was a noise of hammers and saws, assurance of stability, it seemed, in that setting of unreality, for a freight-train had arrived close after the second trainload of boomers. There was a lumber yard already established, offering all the material necessary for the hasty building Cimarron was to do in the next few days; carpenters were working by light of lanterns, throwing up weak structures to house the merchandise scattered along the street under spread canvas. There would be business for a little while, no matter if Cimarron should flare, flicker, and sink to nothing in the end.

Hucksters of many trades lined Avenue A, the

most direct route to the creek, as well as the shopping center of town, little tables before them, offering all the useless trash of adornment and medication that are the trademark of their trickery, world without end. Their bright gasoline torches, lifted high on poles, attracted swarms of winged insects, lured to destruction by this bright flare of civilization in the wilderness. Especially one particular tribe of bugs, a certain hoarse-droning, hard-backed, sharp-pointed beetle, which came blundering out of the dark swift as bullets, sweeping in concentric circles around the torches, banging into faces, falling down backs, and getting themselves fatally singed in such numbers that they lay in drifts, crunching under foot with the crisp sound of ice.

These blundering creatures were the plague of Cimarron that night. Every tent was a mark for their fascinated winging. They banged up against the transparent canvas, boomed into open flaps, tangled themselves in women's hair, clawed babies till they yelled, plumped into water-pails, fell into suppers, and did all that was beetily possible to spoil that birthday celebration of the city of Cimarron.

Over all there was a general air of discomfort and unrest. Children cried in the tents, fretfully, with a sound of homeless wailing, for the night was hot, although September was far advanced; dog barked challenge to stranger dog, to clinch in dusty

battle before cluttered tents and lonesome looking wagons drawn up wherever their owners could find an uncontested place to stop; now and then a mule raised its melancholy note, in which there was—as there always is—a shading of mockery and despair. In undertone to this barbarous symphony there was the shuffling of thousands of feet, the clash and clatter of wagoners' accoutrements, the hum of human activity which is neither the sound of voice nor of movement—that tribe-sound, a blend of all the barbaric activities of an unsettled camp.

Through all this tumult there rose incessantly, like ebullitions in a boiling pot, the high-pitched voices of the hucksters, the enticing cry of gamesters, the hoarse exhortation of ignorant preachers, and the whistled signals of railroad engines, busy with the freight of this unhoused city. It was a night of strange noises, of frying smells, with the scent of a gala occasion over it like a whiff of romance; scent of circus, of horses, hay and trampled dust.

The partners sat by the graying coals of their little supper fire, smoking, saying little, each engaged with his own thoughts and speculations, which undoubtedly were too far apart to touch at many common points. Now and then one of them refused with negative grunt the solicitation of a water-peddler, a business in which many boys were engaged, or passed some observation on the strange turmoil of that unsettled swarm. They were weary after the day's exertions; the passing of excitement

had left them listless. They were ready for the blankets on the sod of their hard-won soil.

They had spoken of this, and lapsed again into silent listening. Jake threw his head up like a startled horse.

"Here comes that kid next door to you," he said.

CHAPTER IV

TWO WAYS TO JUMP

"He's fetchin' his horse over," said Noll. "I wonder—"

"If he thinks he's goin' to rope me in to take it down to the crick and water it he's figgerin' high," Jake interposed, full of the feeling that nothing but selfish motives actuated the movements of anybody in Cimarron that night.

"What's the matter, kid?" Noll inquired kindly, noting the young boomer's agitation, dark as it was, or rather sensing it from his audible panting as he halted indecisively a little distance from the pair.

"There's a man over there on my lot!"

"Jumped you, hey?" said Jake, picking up alertly, glad for something to put a little life in the neighborhood aside from bugs, babies, dogs and mules.

"Jumped your lot already?" said Noll. "Well, now, that's too darned bad!"

Noll had got to his feet; his partner could see something of embarrassment in his pose as he stood lanky and bareheaded, one hand plucking at his mustache, the other somewhere around his gun.

"I took my horse down to the creek, but I left my saddle there to prove it was my lot," the young

boomer said, indignation hot in every word. "When I came back he was there! He wants two hundred dollars to give it up—the thief!"

"Shoot him and throw him in the road," Jake directed, emotionless as if he discussed getting rid of a snake.

"I would if I had a gun!" the young boomer declared.

"Like fizzle you would!" Jake discounted. "You ain't no man—you're a girl."

"I know I am!" the boomer wailed, with what seemed miserable confession of a lamentable fault.

It was too near tears to sound ludicrous in the partners' ears, even if they had not heard it with such widely divergent emotion.

"What'd I tell you?" Jake said significantly. "They're always around buttin' in, expectin' some fool feller—"

"Well, well," said Noll, kindly comforting, but confused by awkward embarrassment that always made him act foolish before women.

Jake's penetration had not been any quicker than his own, or hardly so acute. He had held a private suspicion of the little boomer's sex from the moment he saw her rubbing her horse down with a towel. Her first words had confirmed this suspicion. But she was so small, or appeared so small at least in that garb, as to be assuring. Noll got hold of himself fairly well while standing there plucking at the tail of his sun-bleached mustache. Jake's rancor against women and their tricks not-

withstanding, this bit of a girl should have help.

"If one of you gentlemen will lend me a gun," she suggested.

"No-o-o-o," said Noll thoughtfully, head bent a little, hand to his mustache as if he weighed the request soberly, "I don't believe that would work. Anyway, I guess there's men enough in this town to do all the necessary shootin'."

"Bust his dang hide! leave me git at 'im!"

Jake popped to his feet with the explosive request, all springs, gun out, set for immediate operation on the person of the jumper.

"If you'll keep your eye on things here I'll step over and interview him," Noll said, a sly laugh behind his words for his partner's precipitate relapse back to his normal state of tender-heartedness.

"Pickin' on a kid when this here blame town's runnin' over with full-grown men!" Jake growled. "If you don't plug him between the eyes and throw him in the road, pardner, dang my neck if I don't!"

"It won't take any shootin' to move a feller low-down enough to jump a lady's lot," Noll replied, discounting the situation to almost nothing. "Come on, ma'am; we'll go over and put a bug in his ear."

"If you *would* shoot him, mister!" she said with eager pleading as she hobbled along with excited stumbling in her high-heeled cowboy boots beside her neighbor. "So much depends on that lot, mister!"

"Sure," said Noll, quite easy now in the prospect of a row, even cheerful without pretense, it

enlivened him so, "everything depends on our lots, don't it, ma'am? We gambled for 'em, and we won, and we're goin' to hold 'em or we'll know the reason why."

"Go to it, pardner!" Jake encouraged from the dark behind them. "If you need any help, whis'le."

"There he is—right over there—see him?" the girl whispered, pointing the jumper out to her companion.

Noll stepped ahead of her a few quick strides and confronted the jumper, who plainly knew what was coming and was waiting for it.

"I guess you've lit in the wrong place, pardner," Noll suggested, rather than asserted, his tone so mild and unaggressive that nobody would have thought he had the yeast of violence in him.

"You 'tend to your own damn business and I'll look after mine," the jumper replied, in the humor of a dog who knew every man's foot was against him. He squared off, assured by the mild approach, as if boring his boot-heels in the sod for a fight.

It was too dark for Noll to gather more than the roughest outline of the man's features, which appeared to be square and pugnacious. He wore a narrow-brimmed, low-crowned derby hat, in vogue at that time, and carried his coat across his arm, the sleeves of his white shirt prominent in the gloom. He was a bulky man, capable of raising considerable opposition if he had the courage to back his size.

"Git to hell off of my property!" he ordered, becoming suddenly violent in tone, his belligerence no doubt having grown out of Noll's apparent indecision.

For Noll had stood silently deliberative between the Jumper's first words and his sharp order, sizing the man up as well as he could in the dark, according to his way of weighing a matter before putting his hand to it or passing it by. He was not the man to crowd a row, or strike a hot blow that he might rue.

"I don't want to have any argument with you, mister," Noll said, still in that mildly reserved manner which a blusterer might take for cowardly caution, "but I know you haven't got any claim on this lot. This kid was on it when I arrived, and I got here plenty soon, I'm here to tell you. You'd might as well be decent about it, and hunt somebody else's lot to hop."

"Put me off! Le's see you put me off!"

The jumper dropped his coat with the challenge, which was as insolent and provocative as vocal inflection could make it.

"All right, if that's the way you take it," Noll replied.

He tackled the jumper like one of those vicious little prairie whirlwinds laying hold of a bush with a rumpus and swirling-up of dust. Only there was no dust under foot in that immediate spot, the prairie grass being long and soft, not the very best material for a man to clench his toes in to

repel an attack so down-bearing and unexpected. The jumper was clawing around to get his gun out of his pocket as Noll rushed him toward the forward line of the lot, and he proved himself to be a vituperative, foul-mouthed fellow who bellowed his resentment much more manfully than he set up physical opposition. But he got the gun free from his hip pocket as Noll booted him into the street, where the glow of bordering tents, and lanterns hung on propped-up wagon-tongues made it fairly light.

Noll saw the gun flash in the light at the moment when Jake, who had edged over to the outmost boundary of their domain in his excitement, caught it with his watchful eye. Before the irate jumper could pick himself up out of his headlong stumble from Noll's fatherly kick, Jake cut loose with his long black gun, throwing sod so uncomfortably near the jumper's feet that he dropped the bright stubby gun and cut a streak in the general direction of the Kansas line.

Jake was yipping between shots like a terrier, pegging them after the jumper's receding figure with a noise much like a very small dog after a hopelessly swift rabbit. His voice was high, keen and excited.

Even before this disturbance there had been a restless activity along the street in the partners' neighborhood, that tired, dazed, unhappy restlessness of a newly settled swarm of bees. Now as the word passed swiftly among the boomers that a

jumper had been ousted from a woman's lot, other whoops of exultation, menace and derision were added to Jake's shrill cries. Dogs came from beneath wagons to charge out into the dark, circle and track and return confused, but bristling with eagerness to have a part in this sudden awakening which they could not understand. All together, it was a merry exit for the first jumper in that vicinity. Nobody would have wasted a compassionate word on him if one of Jake's bullets had found lodgment in his ham.

The boomer girl was duly grateful to Noll for ejecting her tormentor, although neither tearfully nor extravagantly so. She thanked him in words which expressed her relief as well as her gratitude, offering Noll the jumper's coat as compensation for his expended effort.

"It wouldn't fit any of us," she said ingenuously, as one accustomed to close ways of living, where everything counts.

"I'll hang it on a stake in front of our tent," Noll laughed as he took the garment.

"Like a skunk hide," she said.

"Or some kind of a pesky varmint. I don't believe he'll have the gall to come back for it, after all the lead my pardner slammed around his heels, but if he does I hope it'll be daylight. I'd sure like to see what kind of a face an onery man like that carries around."

"He dropped his gun out there in the road."

"My pardner got it. We'll leave it in his pocket —maybe we'll get a bite before morning."

"You sure jumped him off of my lot in a hurry, mister!" she said, her admiration for the feat frankly expressed. "I'll owe you a debt as long as I live, but it'll have to go with 'thank you' till it's better paid."

"That squares it," Noll assured her, speaking warmly as a creditor well satisfied.

"If my folks would only come now, everything would be fine, but I'm afraid they'll never find me to-night in this army of people. They're comin' on with a wagon, and tent and things, you know," she explained, "my mother and kid brother. He's only seventeen—not old enough to take a claim."

"I hope they got through all right—it was a terrible scramble," he said. "My pardner and I came on the first train."

"Yes, I know. I saw you outrun the whole bunch and grab them two lots. You sure can run a streak, mister!"

"You ought to see me when somebody takes out after me," he laughed.

"I see you runnin' away from anybody!" she discounted the implication of weak valor with scorn. "Well, I'm thankful we've got you for a neighbor; we'll need men like you, and lots of 'em, in this town, or the crooks will jerk everything out from under us women. Mother and me plan to open a eatin' house and hotel—she's got thirty canvas cots

in the wagon, and I wish to hell she was here!"

She said the little word not profanely but fervently, employing it as the most expressive medium at her tongue's command to picture her anxiety. Noll was familiar with her type; there was nothing shocking about it to him.

"There's a mighty good opening for your business," he told her, knowing it was true from the number of tentless adventurers strewn around the dimly defined streets and the edges of lots, fagged to numbness by the day's strain. That sort of lodgment was very well for a calm warm night, but one rain would send every man of them with fifty cents in his pocket to the first canvas that would give him shelter.

They were not of the pioneering type, those light-traveling, loose-footed adventurers, take them as they ran. They were there mainly for the chance of emergency jobs at good pay, or of picking up something that would turn them a quick and easy piece of money. The experienced ones, the true pioneers, had come provided, slender as their possessions might be.

"We've been railroadin' down on the Frisco," the girl explained. "We've been runnin' a boardin' train, but we got tired feedin' tarriers. A feller's got to settle down somewhere, anyhow; you can't make your fortune feedin' railroaders. You keep movin' all the time on a boardin' train, but you don't get anywhere. Mother wanted to make the break away from it when Oklahoma opened, but

I was only a kid then; I couldn't help her much. It's different now."

"You're your own man now, hey?"

"You bet I am."

"Well, I wish you good luck and lots of it. If your mother don't happen along to-night, what are you going to do about camping? I don't believe you've got even a blanket."

"No, I rode light—as light as ever I could—I didn't carry anything but some cooked grub and some little things."

"A towel and soap and a comb, and maybe a lookin' glass," he chuckled. "I saw you rubbin' your horse down with the towel."

"Well, why not? He deserved it; he brought me here ahead of a lot of them."

"He sure did deserve it, and the best you've got the rest of his life. If your mother don't show up pretty soon, you come over and sleep in our tent. You'll be welcome to it, and more than welcome. My pardner and I are used to sleepin' out, and we've got plenty of blankets, besides."

"No," she replied, rather resentfully, altogether suspicious and suddenly distant, as if she saw some kind of plot in the friendly proposal.

Noll felt the repulsion of her refusal but did not resent her misconstruction of his motive. He knew what the life of a boarding train girl was; how early and constantly she must have begun meeting sinister advances with that cold ferocity which became in time, from wearisome maintenance of

her unequal struggle, the quintessence of scorn.

"I'll camp over here and watch your lot, and my pardner will flop down on his," he continued as if insensible of her refusal. "Even a warm night like this turns pretty chilly before morning; you'll be much better off in the tent, and you're welcome to it."

"I'll stay here and watch out for them," she replied, unmoved from her guarded attitude of suspicion.

She stood with face averted, head up as if she concentrated her gaze on some object in the dark. Her manner of speaking was abstracted, her mind doubtless divided on the chance of what might happen to her in the tent and the unquestionable discomfort ahead of her on the lot with nothing more than a piece of soap and a towel to break the weather.

"Just as you say," Noll returned lightly, holding nothing against her for her uncomplimentary caution. "You ought to picket your horse out and sit down and rest."

"I didn't bring any picket-rope. I'll hold him around and let him eat."

She had been doing this while they talked, the bridle-bit clicking on the animal's teeth as it stooped to snip the grass.

"He'll get on better if you'll let me take his bridle off," Noll suggested.

"It's a chain bit—he can eat with it on," she replied, still upholding a guarded barrier between

them. "Well, if you want to," she yielded, letting herself down a bit from her distant elevation.

"There's not a chance in five thousand your mother will find you to-night in this swarm of people," he told her, "and I don't suppose the chance is much bigger for me to run across her if I circulate around, but I'll be glad to see what I can do if you'll give me a description of her outfit."

The girl was so eagerly grateful for his offer, which appeared to dissolve away all her suspicion of him, that she took a quick step toward him with a little noise of jerking a sob back through her nose which betrayed her deep anxiety and tight-strung state, for all her front of self-sufficiency.

"She's drivin' a span of black mules to a new Bain wagon with sideboards," she began her brief, vivid sketch of the outfit.

With a few rapid words she described her mother and brother, and certain outstanding features of the load, by which Noll knew he could identify them on the run. He assured her that his partner would attend to any further attempt to jump her lot, and went back to acquaint Jake with his proposed scouting expedition through the town. Jake was taking his ease with a cigarette, stretched out on his back in front of the tent, head on his own lot, feet on his partner's.

"Well, she's all fixed, is she?" he inquired.

"Yes, she's got a towel and a bar of soap," Noll replied. "I offered her the use of our tent, but she wouldn't accept."

"She ort to 'a'. It ain't decent for a young girl like her to lay out in the grass all night."

"She's set on stickin' there till her mother and kid brother come along with their wagon. I'm startin' out to see if I can find them wanderin' around lookin' for her."

"You'll have a one hell of a job in this millin' herd."

"It does look that way, but you never can tell what you'll run into. I told her to yell if anybody molested her—you'd take care of 'em."

"Leave 'em to me," said Jake, with easy assurance. "Huh! dam' soldier was here a minute ago callin' me down for shootin' around that jumper man's legs."

"I heard you talkin' to somebody."

"Yeah. He said it was all right with him to shoot jumpers, personal, but orders was agin it. They was expected to do all the shootin' in this man's town as long as they was bossin' it, he said. I told him to go to it, fur as I was concerned; I wasn't no gun-slinger. Said I only shot to make a noise and cheer folks along. Purty decent kind of a boy. Laughed, and rode off."

"Soldiers are mainly decent chaps. That girl and her mother are goin' to open a hotel next door to us. What do you think of that?"

"A *ho*-tel, heh? Sounds good. That girl and her mother, heh?"

"Yes. They're railroaders, been runnin' a boardin' train down on the Frisco."

"Well, I don't know," Jake demurred, his first enthusiasm for a hotel neighbor dampened, "them railroaders is a tough bunch—they're a *damn* tough bunch. I wouldn't mind havin' a good decent saloon next door, jumpin' one, but I don't know about a railroad boardin' house."

"I don't think it's aimed to be exclusively for railroaders—it'd be kind of slim pickin' if it was, this far away from the depot and tracks."

"Switchmen and jerries, and them fellers," Jake pursued his arraignment of railroaders, distance not considered. "They live on b'iled cabbage and raw onions. And brakies; they're another tough gang—well, not as tough as they're sore-headed onery. Decent feller can't git on one of their derned freight trains without a brakey comin' along holdin' him up for all he can stand to pay. One of 'em took the last dang pocketknife off of me I had in this world for ridin' his division once when I got left behind by the boss at the stockyards in Kansas City. You ask me to p'int out a mean man in a crowd and I'll pick a brakey, every throw."

"Even if they do run to railroaders I'll be between them and you," Noll laughed. "I'll keep 'em off."

"When I git my livery barn up and a goin'—"

"Oh, that's the game, is it?"

"It sure is, boy. I thought it all out layin' here while you was chinnin' that railroader girl. I headed this way to grab me a lot and clean up on it

as quick as I could cash in, but judgin' from the looks of things this is goin' to be a town, and I said 'Feller, this is where you hang up at; this is the place you quit your roamin' and rairin' around and stop and grow up.'"

"And also marry and settle down."

"Not on your neck, pardner! Any time you ketch me marryin' you take me out and shoot me."

"Appoint somebody else, old feller. When I hear a man begin to talk that way I always look around for the lady. I know the signs."

"You'd have a pair of sore eyes before you spotted her, pardner."

"But I'll bet the sight of her'd cure 'em. Sizin' you up, I'd say when you pick 'em, you pick 'em right. Well, I'll trot along and see if I can locate that railroad woman."

"Wishin' you well, but not sayin' much. I'm goin' to hit the hay."

"I'll ramble back in an hour or so."

"Go as fur as you like and stay as long as you want to, pardner. Your lot's safe with my feet on it. But, gosh! I wish I had a wagon-wheel so I could pull my boots off!"

CHAPTER V

POKE JONES

NOLL HOWARD did not value his chance very highly as he turned into the new city of Cimarron to search for the span of black mules and new wagon with the making of a hotel aboard. While not more than eight hours had passed since the first boomer dropped from the train on to the townsite, a city of bewildering size had grown up where cattle herds lately grazed; where there seemed neither reason nor necessity for such a gathering of men.

A confused city of wild clamor, yet with a certain defined arrangement of order in its long lines of dimly lighted tents and flaring gasoline torches; a collection of humanity presenting a strange and fascinating question; a city thrown down in a wild and unbroken land with nothing to feed upon, with scarcely more likelihood of becoming permanent, it seemed in those first hours of its existence, than the camps of the savage Pawnees which had been pitched there in the buffalo days long ago.

True, there would be development around it, to which it must supply materials, yet this would be merely merchandising, furnishing employment to comparatively few hands. Thousands were gathered here; how many thousands it would be diffi-

cult to estimate. Their campfires and lanterns glimmered along miles of stake-defined streets.

There was no industry to maintain such a population; it was not probable that any would spring up by the magic that had swept this ill-assorted gathering of humanity into this spot. Disappointment would be the lot of seven in ten of them, for the city had spread wide, covering not only the original townsite but the addition of West Cimarron as well, with a sprinkling of lights in other additions which to-morrow night would see filled to the last fifty-foot lot by simple speculators who had paid more to the various promoters than they ever would realize on their investments.

The hope of nearly all lot-holders, those who had come with business intentions and plans already well-laid excepted, was to sell out quickly at a big profit. The talk of offers and refusals, of holding on and letting go, was in Howard's ears from every side as he passed alertly along the streets.

It did not take him long to realize the impossibility of pushing anything like a systematic search for the boomer girl's mother. There were miles of streets, every lot with its occupant, scores of them with two or three claimants camped sullenly in defiance of each other, on guard against subterfuge and open violence aimed at their eviction. Homeless ones, of whom there were vast numbers, camped in the streets under military sanction and protection. They must stop somewhere, and no man was trustful enough, hospitable enough, in

that place of designing grafters, slinking sooners, crafty schemers of all kinds, to invite an unknown late arrival to camp on his lot, or yield to offer of payment for the privilege.

These lodgers in the streets added greatly to the confusion of the place. Only that section of Avenue A where business had begun was kept clear of these luckless ones who had come too late for the lottery, and who never could hope now to find an unoccupied piece of free land within the boundary of the new domain. The air of defeat, weary hopelessness, which silenced these forlorn losers in the race, contrasted sharply with the high-spirited chatter, laughter and excitement attendant on the growing hopes of the winners.

Every occupant of a lot believed himself in the direct pathway of fortune. Many an adventurer who never had a piece of ground under his feet to call his own before that day swelled in the pride of possession, calculated in preposterous inflation, talked loudly with his flanking neighbors, and turned the eye of scorn on the unfortunates who cluttered the streets with their wagons, wives and weans.

There are some people who have the cat-like facility of lighting on their feet, let fortune jostle, toss and throw them as it will. They strike the ground ready to push their business, whatever it may be, in any press of humanity that goes off on stampede after mines or miracles, or any lure whatever, after the habit of the headless thing called a

mob. These self-sure gentry are gamesters of a sort, take them where found, let their calling be disguised by any name they may give it. Outside the circus hurly-burly they are as homeless as a woodtick without a host.

Cimarron was active with these blatant fellows as Howard drifted along with the slow-moving, rather dazed, dumb crowds. They displayed their tricks and temptations to small profit, due more to the weariness, dust and discomfort that oppressed the new city's population than any restraint of caution or indifference of sophistication. Knife-and-ring men were doing little; medicine orators were working themselves toward a condition of hoarseness and prostration that would call for all the virtues of their balsams and potable magic to relieve. All of them had many listeners but few takers. Only the saloons, their goods spread under the open night, were doing business up to expectation, with the exception of one long-necked youth, who must have come early and worked fast, to get himself established so firmly, his business going with such a head.

This chap had erected a little board shanty—it could not have been more than eight feet wide—with a long tent joined up to it in the rear. Across the stubby squared front of this little house he had stretched the universal pattern of canvas sign bearing the words:

HOTEL MORAN
HOT SOUP & CLEAN BEDS

In front of his door he had a counter for serving the soup, to which he lent his own eminent services. The source of his supply belonged to the mysteries within his remarkable building and the cloud of tent behind it, but whatever its origin there appeared to be an inexhaustible fountain. As he dished it up he called attention to his refreshment in high-pitched, dragging wail: "Haht seu-u-up!" pronounced with Missouri inflection, out of the side of his mouth.

There was something of insolence, insult, public defiance, in the sound, as if he might have been calling up hogs. It seemed to say that his soup was a base concoction, a disgusting swill, designed for the refreshment of the outcast and the vile.

His customers stood while refreshing themselves on his soup, which he ladled from a wash-boiler into their bowls. Having no wrinkles in them, due to their upright posture, the customers downed their soup rapidly and made way for others, of whom there was a waiting line, as if they were depositors in the soup bank putting on a run. What there could be in soup to attract such a stream of trade, Noll Howard wondered as he stood aside looking on. Nothing in that particular soup, he concluded after breathing the scents of the compound from a distance. It must be that humanity had a weakness for soup, he thought, as for alcohol, which neither physiology nor psychology could explain.

While Howard lingered in the soupy atmosphere

of the Hotel Moran, which he found the most interesting spot he had encountered in Cimarron, a tremendous row broke loose diagonally across the street, what would have been two doors beyond the hotel if there had been any doors. The mêlée centered around a wagon which stood a little way back from the street line, the scene illumined by a lantern swinging from the end of the tongue, which was propped up by the endgate from the wagon-bed.

Several active fellows were attempting violence on the person of a one-legged man, evidently the owner of the wagon, who had armed himself with the neckyoke and was laying about among them fiercely, shouting defiance as he swung the weapon, the iron rings on the ends of it clanking with every blow. It was such a spirited combat, and so unequal—there were five or six against the one-legged man—that Noll was drawn nearer than wisdom should have carried a bystander in his interest to see how it would end.

The attacking force was directed by a large man who had posted himself near the wagon-wheel, well beyond sweep of the one-legged man's weapon. There he stood, looming big as a horse against the dark, urging his men to rush the single-handed boomer and bring him along.

"No, I ain't a-goin'! No, I ain't a-goin'!" the defender shouted, backing toward the street before their cautious, crouching advance. "You damn sooners! I tell you I ain't a-goin'!"

Howard was on the fringe of the crowd that had rushed there to see the fight, only a few yards from the up-ended wagon-tongue, the light of the lantern full over him. The one-legged man had worked out to the street, swinging his jangling club at arm's length in whistling arc, like a broadsword hero in a Scottish romance, or a schoolboy holding his enemies off with a ball-bat. He spotted Howard with the gun hanging on him, took him for an officer, and threw himself on his protection, neck-yoke drawn back to slam the first of his persecutors who might venture within reach.

"Cap'n, they're tryin' to railroad me out of my lot!" the one-legged man panted, fanned out by his defensive operations. "I'm a law-abidin' man—I'll leave it to the law!"

"I'm not an officer of the law," Howard corrected him.

With this explanation the one-legged man's enemies started for him again, urged on by their discreet general in the background, who bullied them like a pack of cowardly hounds.

"Go and git him!" he said. "Fetch him along, I tell you!"

They halted when the one-legged man lifted the neckyoke. Howard put out his hand in conciliatory, rather then arresting, gesture.

"Oh, don't gang the man," he said.

"If you ain't a officer take me to the soldiers, hand me over to the soldiers—don't let a gang of

sooners drag me off in the brush and cut my damn throat!" the beset man pleaded desperately.

"I'm not keen to horn in on anybody's row, but that looks like the right thing to do," Howard replied.

The boss of the opposing gang started forward with an impatient curse, parting his men like a farmer coming to the fence through a field of tall corn.

"I don't know where you got your papers to cut in on my business," he said, glowering at Howard with slow and heavy insolence that was in itself warrant for fighting resentment.

"You can keep all your troubles for your own private use, pardner; I ain't out huntin' any," Howard replied.

"Then git to hell out o' here!"

"They want to make me sign over my lot!" the one-legged man declared, talking loudly, looking around wildly for public sympathy, seeing that he had only a common civilian with a gun slung on him—which might not turn out any use—when he had supposed himself shored up by a pillar of the law. "They're goin' to railroad me an' rob me an' cut m' damn throat!"

"That sure is kind of rough handlin', old feller, ain't it?" Howard commented with kindly interest. "Well, since you've run and poked your head under my wing, my advice to you'd be to go and tell the soldiers all about it."

"You're not goin' after the soldiers—we don't

need any soldiers to settle this, you damn old timber-toed thief! You can't double-cross me and git away with it!" the leader of the attacking party announced. "And you git to hell out o' this—" snapping at Howard—"before I take that damn gun off of you and bend it around your head!"

The big boss of the ridiculously one-sided row bristled up as if he intended to start at once on making his threat good. The one-legged man pressed closer to Howard in a panic of supplication.

"You've got a gun, pardner—don't let 'em railroad a man off of his property and cut his damn throat!" he implored.

The onlookers, expecting shooting to start, drew back discreetly and gave them room. Howard began to believe he had stumbled blindly into something that might take some tall scrambling to get out of without hurting anything more than somebody's feelings. He didn't want to get mixed up in anybody's row that night, not even one of his own, so he turned the fellow's bullying front with a good-natured little laugh, altogether too unconcerned to be assuring in the ears of any man who ever had picked up a hot poker in his day.

"Ain't you kind of sudden, pardner?" he inquired blandly.

"Sudden ain't no name for him, stranger; he's a damn sooner!"

The one-legged man spoke with such fervency in his quip as to win a loud and raucous laugh from

the shadowy background into which the cautious onlookers had withdrawn. The next wink found Howard himself facing the wrong end of a gun, the man behind it looking as big as a white horse in a fog.

"Travel! hit the grit!" commanded the man who had been stigmatized by the slanderous name of sooner.

He seemed to have eliminated the one-legged boomer from his consideration entirely, centering all enmity on Howard as if he had been responsible for the derisive laughter. He focused the pistol on Howard, handling it in a reckless, unaccustomed style, making little lunges with it as he advanced, as if he believed the instrument designed for jabbing out the eyes.

The way he was handling the blamed tool it might go off in a feller's face, Howard thought, feeling a bit foolish and considerably annoyed. The one-legged man dodged behind Howard with a rattling of rings on his neckyoke.

"Look out for that gun!" he warned.

"I knew a feller one time that handled a gun the way you do—" Howard spoke with a note of calm reproof, reached out so quickly nobody, and least of all the man with the weapon, knew how it was done, snapped the gun out of the fellow's hand with hardly as much break as a comma in his gentle admonition—"that shot himself through the foot. While the goin's open and clear, I guess you fellers better start."

They started without further argument, seeing the stranger hand the gun he had taken away from the boss to the one-legged man and make a slow, expressive movement in the direction of his own. The one-legged man bored after his late tormentors, triumphantly vituperative, cursing them by all the obscene gods between the Arkansas and the Rio Grande. He went swinging along on his rigid limb with surprising celerity, using it as a vaulting-pole, his stream of outlawed language jarred but unbroken by each landing, pistol in one hand, neck-yoke in the other, with not a word of gratitude for the man who had delivered him from whatever peril of despoliation he had faced.

The crowd closed around Howard with admiring comments on his dexterity, and breathless exclamations on the risk he had taken in wrenching a gun out of a man's hand in that fashion.

"Yes, it's the same feller," said a man at Howard's back. "I thought I knowed him—I saw him collar a jumper a little while ago and fire him off of a girl's lot. He handles them fellers without any gloves, the way they ort to be handled."

"If we had a few more like him in this town maybe honest men'd come in to hold their rights," another said. "You can call on the soldiers till you're black in the face if somebody jumps your lot, and all they'll do'll be to tell you to go to law. This man tells 'em to go somewheres else, and by hell they go!"

They pressed around Howard wanting to shake

hands, praising him in the grateful way of men who faced uncertain tenures and perils of their own, all greatly to Howard's embarrassment and confusion. The one-legged man was standing at his wagon shouting defiance after his enemies, enforcing his warning to be let alone by rapping the wagon-bed with the captured gun.

"They're all a bunch of sooners, that old peg-legged man no better than the others," a young man remarked. "They were all here when I arrived, and there wasn't a wet hair on that one-legged man's team."

"Deputies," another said, with succinctness which appeared to be generally understood.

"Worse than sooners," somebody declared, getting an amen that expressed public sentiment on the matter of deputies in no complimentary way.

"What was the row about?" a dark, heavy-browed man inquired, pushing his face forward into the lantern-light, scowling at Howard as he put his inquiry, in a way to give impression that he disapproved it all, no matter what its merits.

"You can search me," Howard replied. "I run up like a meddlin' fist to see, and that one-legged feller took me for a marshal, I guess. The other man got sore at me because I told peg-leg he'd better take his troubles to the soldiers. They may all be sooners, as somebody says, for anything I know. They're no friends of mine, anyhow."

There was a little commotion in the crowd, and a man came pushing his way through.

"Why, it's my young friend of the train!" the newcomer said. "You let me sit on the arm of your seat—don't you remember me?"

"Sure enough," Howard replied, honestly glad to encounter the black-bearded ministerial-looking man again. "How's it goin'? Got settled yet?"

"Yes, I was fortunate in landing on a good property—a very good property—over by the railroad. I bought a fellow out for a little of nothing. And how did it go with you?"

"My partner and I copped off two lots on this street, down below here a little way. I guess they're all right."

"I'm glad to know you were rewarded as you deserve. Jones is my name, Poke Jones, P-o-k-e, not P-o-l-k as generally mistaken from the sound of it. I'm from Wichita."

Howard exchanged the courtesy of introduction, reserving the place from which he hailed. Jones, towering tall in his black coat and low-crowned black hat, rather took possession of him, and the others, seeing them old acquaintances, as times and acquaintances ran in that magic city, dissolved away and left them to themselves.

"There's a pretty strong representation from my part of the country down here," Jones said, "but—" with a chuckle behind the somber curtain of his beard—"you'll not find any sooners among them."

"I'll gamble you wouldn't," Howard returned warmly.

A sooner, it must be explained for the benefit of those unacquainted with the true origin of the term, was a person who had slipped past guards of soldiers and deputy United States marshals and entered the land for which honest people were to contest on terms of fleetness, endurance and courage on the day set for the opening by the President's proclamation. These gentry, their number being surprisingly large, had concealed themselves, to emerge from hiding before the first of the inrushing boomers could arrive, and take possession of the choicest land. Sooners of this class could not work their scheme in acquiring town lots in Cimarron, soldiers being on guard there to see fair play, at least in a certain degree.

It was charged that another, more subtle, brand of sooner, government officials of one subordinate kind and another, played the trick-hand on the town lots. Hundreds of these small officials had been at work in the country, patroling it against sooners, clearing out cattlemen and squatters, but under the conditions of the opening no such person was eligible to take up land within the designated territory. They evaded the restriction by resigning their official positions at noon on the opening day, a subterfuge illegal as it was immoral, but one at which the military winked in certain favored cases.

These were the most despised of all sooners, for every lawful boomer considered them nothing more. But take them indiscriminately, no matter how

they got there, sooners were held the most contemptible, underhanded and vicious of all mankind. The term *sooner* was the most despicable that could be applied to a person in the boomer days of Oklahoma and the Strip. Horse-thief was a highly honorable designation in comparison, low in the social order of frontier society as one of that calling stood.

Poke Jones and Noll Howard, queerly matched pair as could have been found in the siftings of humankind that swarmed Cimarron that night, talked of sooners and their tricks as they turned away from the one-legged man's lot, where his lantern swung high on the upended wagon-tongue. Peg-leg appeared to believe himself cleanly discharged of all obligations to the man who had got him out of his pinch, if he ever had been sensible of any obligation, indeed. He was pulling things out of his wagon, preparing to put up his tent. There was nobody with him, as far as Howard observed, and he was quite of the opinion, as he went away with Poke Jones of Wichita, that one of his kind was enough.

"It seems to me like your name is familiar," Jones said in a puzzled, apologetic way. "Didn't you come from our part of the country—Hutchinson, or Wellington, or somewhere around there?"

"Not so very far," Howard replied. "I used to hang out around Caldwell."

"Of course!" said Jones, as if suddenly enlightened. "Why, certainly—I might have known—

your reputation was state-wide, and more." Jones spoke admiringly, his oratorical voice round and deep. "Ye-e-es. I'm mighty glad to have you down here with us, Howard; Cimarron is to be congratulated on having you for a citizen."

Howard's face wore a queerly puzzled look as he glanced at Jones, as if searching him out to see whether he was attempting some sort of a come-on by flattery, which his manner did not give any ground for believing.

"I'm afraid you're tackin' somebody else's fame on me," Howard said, with his jerky, uneasily modest short laugh. "I never made any record like that, Mr. Jones."

"That's all right, all right," Jones waved his protest aside jauntily, "I understand the inherent modesty of Kansas people. What are you thinking of turning your talents to down here, Howard?"

"I'm out in the middle of the road lookin' around. Right now I don't know which way I'll turn, but my pardner thinks of startin' a livery business, and I may go in with him."

"It would be a good business, a fine business, with only one line of railroad through these immediate parts. I'm thinking of real estate myself, that was my line in Wichita, that and a little hand in politics now and then. I represented my district in Topeka two terms, but that's neither here nor there. When the boom bust it laid me flat, and I've been gasping ever since."

"You'll catch your breath here in a hurry, you'll

make it," Howard spoke encouragingly, not that he believed Jones needed boosting in the particular of courage, but because he felt the old chap was a studhorse and a goer.

"There'll not be a great deal in real estate till things settle down here," Jones said. "Relinquishments, and things of that kind, little stuff that hardly pays notary fees. While I'm waiting the turn of events I'm in the furniture and hardware business, with a view to enlarging into a general merchandise line if prospects improve. I shipped in a carload of goods ahead, and was lucky enough to get most of my stock moved over to my lot before dark. Mrs. Jones followed me in on a later train; she's tending store—the roof of which is the entirety of God's heaven—while I gad around and see the sights. There's not much for her to do," Jones chuckled in his solemn beard, "for I sold out my entire stock of beds and bedding within an hour. Will you step over and join me in a—a—aha—ahem—a—little aha—drink?"

Conscientious objectors not having been invented in those days, Howard stepped. The liquor merchant to whom they carried their patronage was from Wichita, also, where he formerly had conducted one of those sequestered institutions popularly called a joint. He deplored the warmth of his beer, no ice having arrived in Cimarron. Jones waved beer aside with his airy way of finality, saying it was an insufficient potation for a proper man at its coldest. Bourbon was his; it had been his

for many a good round year, and he was too old a duck to change his gargle at that late day.

Howard found Jones a companionable man, with very little of the somberness inside him that his outward appearance indicated. He said it was pleasant to fall among friends that way the first rattle out of the box, and Jones agreed that was so, indeed, the saloon man bearing an unwarrantedly fervent second to it, considering his short acquaintance. They were very well established in each other's regard all around, although Howard was a little suspicious of a whispered aside between Jones and the liquor man, and the rounding of the latter's eyes, and a most respectful, or apparently respectful, effort on his part to be obliging and get in right.

At last Howard recalled his errand with a feeling of disloyalty to the trust the boomer girl had placed in him, shook hands with his new friends and went on in search of the railroad woman and her load of hotel.

"I want to keep in touch with you, Howard," Jones said at parting, clinging to him in that welding-of-brotherhood handshake common to Kansas politicians great and small. "We're going to build a second Kansas here, we're going to make a second Wichita out of Cimarron. We've got to get right at it, organize a municipality, and take this town out of the hands of the military, United States marshal and grafters of all stripes. We'll need

your moral and political support, Howard; maybe we'll need your gun."

Howard went on his quest with a queer confusion of conjectures. Was Jones trying to rope him in on something by that line of talk about his importance and support, or had the old sinner got his geography wrong and mixed him up with somebody else?

CHAPTER VI

HONORS ARE PROPOSED

JAKE ZICKAFOOS was sitting with his back propped against the tentpole, asleep, when Howard returned. Jake slept lightly, like a horse; at the first sound of footsteps on the property he guarded he jumped out of his shallow doze and reached for his gun.

"Oh, it's you, pardner, is it?" he said huskily, the dregs of sleep in his voice. "I was dreamin' dreams about jumpers—thought that old black-whiskered preacher we saw on the train come in here and jumped my lot."

"I've just been havin' a friendly little drink or two with him," said Noll.

"The hell you have? One of the best preachers I ever knew was a cussin'-drinkin' preacher."

"He's not a preacher, Jake; he's got a furniture store over by the railroad."

"Coffins?"

"He didn't mention 'em."

"I bet you he's got a few standin' around waitin', they're more in his line. Did you find that woman?"

"No, I didn't. I was just wonderin' if I ought to go over and tell that kid—but I expect she's asleep by now and I might scare her out of her hide."

"I don't think she's sleepin' much—I seen her walkin' around leadin' that blame horse a little *while* ago. Acts like she's afraid to leave go of it; hangs on to it for company, I guess."

"She's not got any picket-rope, nothing but a halter-strap."

"And a towel, and a hunk of soap. I hollered over and offered to throw her a blanket, but she said she didn't need none. Kind of uppy about it, like she thought I was makin' advances and tryin' to compermise her, as the lawyer said."

"Little fool! she'll need a blanket good and plenty before morning. It's turnin' chilly and damp already; I believe there's a fog comin' up."

"I don't care if she gits the diabeetus in the back of her neck, spreadin' on with her nose in the air like I was makin' some kind of indecent proposals to her when I offered her a blanket to wrap her shape up in."

"I suppose I'd better holler over and tell her," Noll concluded after standing a thoughtful spell plucking at the wing of his long mustache.

He went across the lot adjoining hers—his lot, proud of the feel of it under foot, although it would have felt like ordinary grassy land to any other man—and there he stood a little while, hand to his mustache as if he had to hold it on his face. The horse was standing dozing, like Jake, he thought; the girl he could not see.

"Ma'am?" he said softly, with apologetic questioning.

No reply. He looked closer, bending, peering, trying to make her out beyond the horse. She must be there, clinging like a poor little chilled, scant-feathered bird to the halter-strap. His compassion rose with the thought.

"Ma'am!" he called again, this time with a vibrant note of alarm.

"Who's that?" she challenged, her voice little more than a frightened whisper.

She was standing beside the horse, her head scarcely seen—for it was a tall horse, and she stood little more than level with its ridge-pole, at her best—her legs merged with its legs in the deeper darkness near the ground. She had been asleep on her feet, Noll knew, leaning arms and head against the only friendly comfort, and the only trustworthy one, she believed, in all that surging town.

"It's me, your neighbor, ma'am—don't be scairt, ma'am. I looked around town for your folks, but I couldn't find them, nor anybody that had seen them. But they'll come along—they'll come along all right in the morning."

"Thank you. I didn't expect you could find them—nobody could find anybody in this muss of people to-night. Much obliged to you, just the same."

"It wasn't anything at all, ma'am; don't you speak of it, ma'am. How're you pullin' along?"

"Oh, I'm all right."

"Kind of cold, ain't you?"

"No, *not* a-tall."

That was the way she said it; with frigidity, in the form current among railroad ladies for the expression of aloofness and dignity, and for putting a fresh guy in his place.

"You had a right to take the blanket my pardner, Mr. Zickafoos, offered you," he reproved her, not without sternness and censure. "He only meant it for your own good, and you do him a wrong, ma'am, when you take the high hand with him and turn down his friendly offer to help you along. He's a tender-hearted man, and he's a generous man."

That was going pretty strong on his short acquaintance with Jake, but he believed every word of it.

"I'm glad to hear you say so," she said, still on her railroad dignity, something curt, icy, and exceedingly scornful in her tone.

"He'd give you the shirt off of his back if he thought it would do you any good, ma'am, He's—"

"Oh, tell him to keep his shirt on!" she replied, making the rather vulgar measure of Mr. Zickafoos' sacrificial generosity appear very weak.

"Well, we're your friends, anyhow, whether you want us to be or not, and whether you believe it or not—it's all the same to us. If anything goes wrong, all you've got to do is holler."

"I don't want you to think I'm an ungrateful chump," she said with impulsive generosity, "but

I'm so *damned* tired I don't know which end I'm standin' on!"

"The worst of it's over," he cheered her. "It's nearly midnight; after one o'clock the times goes by so fast it's daylight before you hardly know it. You lay down on your saddle, ma'am, and take a good sleep. Tie the halter-strap to the horn and he'll stand like you had him in the barn."

"I'm afraid of snakes!"

"Well, ma'am," said he seriously, "if a snake got through this rush and riot with his life the poor feller deserves to be taken in and given a home."

"You can do it, but *ex*-cuse *me!*" she scorned the proposal.

It didn't matter if there were not any snakes left untrampled, she declared; there were bugs, oceans of bugs. That being undeniable, Noll left her to get what comfort out of sleeping on foot against the side of a horse there was to be had. Precious little of it, he believed, although it was a trick he never had tried.

Jake's resentment of the railroad girl's disdainful repulsion of his friendly advances did not keep him awake. He had taken to his blankets and lay stretched asleep when Noll returned to the tent, one end of him on his own lot, the other on his partner's. Other people in the neighborhood had put out their lanterns; boomer and sooner alike were seeking repose for their weary bones against the unknown adventures of the coming day.

Noll Howard stood at his tent listening to the falling cacophony along that street. The fakers were folding their tables and turning out their lights; the cool air was coming untainted by gasoline fumes and the dusty trampling of an unsettled camp. Only the piping cry, as of a snipe on the bank of some muddy woodland stream, of the hot-soup man persisted in this increasing quietude. Presently, with one last mocking, lonesome, trailing high-pitched wail, the soup-seller closed his mouth and his kitchen. The night seemed at once purer for his silence. He turned off his two gasoline torches, and the saturnalia of soup and hard-headed beetles was over for that night.

Although the noises of the multitude had decreased greatly by midnight, and the confusion had settled to a semblance of repose, Cimarron would sleep warily that night, and for many a night to follow. Even in the growing quiet there was no sense of peace. A watchful constraint was over the shadowy city, where timid honesty bristled at each stealthy sound; where weary boomers patroled their new possessions, wary of every shadow, ready to challenge every stumbling passer-by.

Men who had taken on too much liquor and lost their bearings went blundering about at peril of their lives, challenged hoarsely by armed watchers beside their flaccid dark tents. Some of these confused revellers went bawling the names of companions or wives in the flat voices of drunken

stupidity, hoping for answering cries to guide them home.

Others, who had been on errands or exploring expeditions, passed with lanterns, generally in talkative groups, keeping well to the middle of the tent-defined streets to avoid the peril of trespass of which every sober man was aware. A subdued activity, a sleepless stirring, animated the whole dark camp. It seemed as if the very thoughts of men throbbed on the tense diaphragm of night.

Howard rolled in beside Jake. When he woke the sun was shining, Jake's place was empty, the stimulating vapor of coffee was coming in at the tent-flap and a sound of animated talk, with things being knocked about, rose from the railroad girl's lot next door. Jake put his head in when he heard a jaw-cracking yawn.

"I was just about goin' to hit you on the head with the ax and see if I couldn't wake you up," he said.

"I nearly needed it, sure enough. Sounds like somebody arrived next door?"

"Yes, ma's here. She's busier'n a beaver and noisier'n a little old speckled put-rack guinea. Roll out and set yourself to chaw a slab of steak-meat."

"Steak?" Noll repeated, hopeful but incredulous. "You been to market already this morning?"

"Already! and the sun half a hour high! No, I ain't been to market; the market's been here."

Jake was talking over his fire, where grease was making a smell in the pan. Noll burst out of the

tent and stretched himself in hungry anticipation. There was steak, beyond a doubt; it could be identified by a discerning person in spite of the flies sitting around on it. Jake cursed them and fanned them away.

"Steak, sure enough," said Noll, not at all set back by the sight of flies, his being a hardy appetite, accustomed to rough fodder for many a year.

"Feller come along with a wagon, ringin' a cowbell—took it off of one of 'em he butchered, I guess —didn't you hear him? He had a chunk of cottonwood log upended for a butcher block, cuttin' porter-house and sea-lion and T-bone and chuck all from the same quarter, one after the other, any way you ordered 'em. He knew as much about butcherin' as I do about fillin' teeth, but he had enterprise and he got a early start. I wish him well, as the lady said when her feller run off with the preacher's wife."

"His enterprise deserves success," Noll agreed, although his thoughts were on the butcher only distantly; rather, with his eyes, which were fixed on the railroad girl's reunited family on the adjoining lot.

"She bought a chunk of meat," Jake stabbed with his fork toward the railroad woman, "as big as a saddle. I bet she'll have a dish of railroad stew cooked for supper and be rakin' in the four-bit pieces to a fare-you-well."

"She looks like a comer, all right," Noll agreed. "Did she have those two men along with her?"

"No; she poled off and hired 'em before she hardly hit the ground. Offered me a job puttin' up her tent and squarin' things around. I didn't want a job that early in the day."

The mother of the railroad outfit was a small active woman a great deal older in experience than in years. She appeared to be about forty, full of snatch-up and slam-down energy, her thin face quickened by a coloring of comeliness which must have been considerable twenty years ago, although her features were thin and sharp. From Howard's distance she looked unfriendly and hard, as one who had been on guard against betrayal, trickery and deceit since her girlhood days.

She had brought in an amazing load of stuff which the two men were taking from the neatly covered wagon and disposing systematically under her direction. It looked as if she had a fully equipped hotel, with at least boarding-train accommodations, all ready to set up and start doing business. There were piles of canvas cots and blankets, a big range, and tent-cloth enough to cover the lot, it appeared. Howard waited with curiosity to see how far it would really go when stretched.

The girl was still dressed as when she arrived on horseback, a winner in the race for lots. She was lively and cheerful, her troubles all vanished with the night and arrival of her kin. She must have slept pretty comfortably standing up against the horse, Howard thought, or else the relief of

the happy reunion had stimulated her to that buoyant activity.

She flitted like a hummingbird, but with a purpose in every movement, assisted by a dark lithe boy who was no less active and eager for work than the others. Howard supposed he was the kid brother of whom she had spoken as being too young to take up a claim. Taken all together it was the liveliest family Howard had encountered in a long time. Their industry brightened the spot; the grassy lot fairly radiated promise of future prosperity which, accepting them on appearances, Noll Howard believed the railroad family unqualifiedly deserved.

The partners discussed the question of filing on their newly acquired property as they disposed of the fried steak, which was neither young nor tender, although it was so fresh off the hoof that it was still kicking, as Jake said. It was unreasonable to expect steak that had been driven on the jump to be tender, he argued in extenuation of its principal fault; the animal which supplied it must have worn all the tenderness out of its body bringing in the raw material.

It was so good it needed no apology, Noll declared. It must be an ungrateful man who could taste that meat and not thank the animal that carried it in, even if some sooner had hidden it in the brush. As he cut beef and talked he kept an eye on the railroad girl, wondering if she would come over and introduce her mother. Surely she

could drop that suspicious watchfulness, which she had seemed to present like a pitchfork every way she turned, having the old lady to watch over her virtuous welfare now.

Still, there was nothing funny about her conduct, not anything rightly to be criticized. She had grown up in a society that had nothing like the respect for the female of its kind that a she-wolf commands by the law of the species from the gallants of her pack. She had been snarling and snapping, whirling and fending, all her days. No man ever was taken on trust for fair words and winning ways in her environment.

There was the business of filing on their lots to be disposed of, the next important step in the legal formula of ownership. The partners agreed that it would be unwise for both to leave on that business; that one should file on both lots, relinquishing one of them when the job was done. Jake insisted that Noll attend to the filing, leaving him to stand guard.

"It's all your property, anyhow; I'd 'a' been left out in the cold if you hadn't reached out and pulled me in by the hair of the head. My legs was cut too short for a race like that."

"If you say another damn word about it I'll pull out and leave you with both of 'em on your hands," Noll threatened, and not idly, as Jake saw very plainly.

"Pardner," said Jake solemnly, "if I had to straddle that line a week watchin' both of them

lots I'd be so stiff in the grinds I'd never be able to git my legs together agin. If I had to stick around here, keepin' my eye skinned for jumpers a few nights, you couldn't give me these blame lots as a gift."

"We'll not be safe till we get up some permanent improvements. The law seems to be long on permanent improvements in this country. When we get up some kind of a board shack on each of our lots we'll be safe to leave home for a little while and look around."

"Feller was tellin' me this morning there's plenty of lumber here, but you've got to do your own haulin'. If I could git somebody to deliver us a jag I could be hammerin' up a shack on your lot while you're filin'."

"That's not a bad scheme. Maybe somebody'll come trailin' along with a team you can hire. I'll make a dash over to the land-office and see if I can wedge in anywhere. I expect there'll be about ten thousand other people taken with the same notion about the same time."

As he had anticipated, Noll found, when he arrived at Government Acre, where the land-office was situated, that talking about papers and obtaining them were two widely separated things. Although he arrived an hour before the office opened, he found no fewer than three or four thousand men and women ahead of him, with more coming from every quarter all the time. Not only every lot-holder in Cimarron appeared to be there or on

the way, but people who had taken claims for miles around were thronging in to get this important preliminary off their hands and the security of their tenure in a manner cinched.

There were few women in the crowd, and to these a degree of precedence had been accorded by these dusty cavaliers who would not have yielded an inch to any man. These women had been permitted to push forward to the door of the little plank house where the record of the boomers' hopes soon would be opened. One of them, old enough to be a great-grandmother, a small determined woman with a broken-ribbed sunbonnet hanging around her throat by its strings, stood on the threshold grasping the doorknob in her hand. Some of the young men joked her about making a start so early in life, to get back as good, or better than they gave, for she was as sharp of wits as she was eager, and well qualified to hold her own.

Under their hatbands the men carried bits of folded paper with the legal descriptions of their holdings, copied from the stakes. That was the general mode of carrying these bits of paper, although many of the boomers wore coats, or vests with many pockets, or shirts similarly provided, where they might have stored their precious descriptions with as much safety. Somebody had started the story that the display of a piece of paper in the hatband gave a boomer standing on Government Acre in the soldiers' regard, as a piece of cardboard in a passenger's hat vouches for his

honestly paid passage in a train conductor's censorious eyes. So the hard hats and the soft ones, cowboy sombreros and city dicers, carried these little plumes of paper in their bands, making the crowd look as if it had been checked and labeled, and stood qualified to pass the gate.

Certainly, the story of military favor being thus easily and simply assured had its origin in the fancy of some ignorant fellow or cynical humorist, but it was significant of the popular simplicity to see how quickly it was taken up and followed. If some wag had turned his vest inside out and gone parading around that way in the pretense of some particular or peculiar immunity or favor, he would have had a thousand followers in half an hour.

It was a people without leadership, assembled in a land without law, except that far-away, vague federal jurisdiction which few men in that place understood; a people ready for political deception, and blatant blandishments of grafters of whatever stripe. Noll Howard had much to speculate upon as he stood shuffling and shifting with the crowd while the slow hours wore by, looking into the stolid faces, the crafty faces, the sharp and cunning faces, the determined, hard-fixed and almost desperate faces, around him. It was a vast conglomerate of humanity, little of it very high in its aspirations or very lofty in its ideals, which a strong hand might roll and shape as a baker a lump of dough.

Would such a man rise and, if so, would he

fashion his material to a good end or an evil? So wondering, Noll Howard stood wedged in the sweating throng, which seemed to diminish not at all as noonday came and passed, and the shadows turned and grew long out of the west. A slow stream, and a feeble one, trickled through the little plank office that carried the flag on an upright scantling at its forward gable.

The claimants of the public lands entered the office a few at a time, remained within a long while and emerged at the back door folding papers, looking relieved and triumphant. As the soldiers began to clear Government Acre for the closing hour, Howard saw Poke Jones, of Wichita, come out of the back door, evangelistic, sacerdotal, Mormon-bishop-looking as usual, folding a paper in his fingers. Howard had not seen him enter, but there was no possibility of illusion about seeing him come out.

It appeared to Howard as if he had a job in hand that would hold him until snow began to fly. The only possible way of getting into the land-office without hanging on until the crowd thinned would be to make an early start and wedge fast against the door. Nobody was allowed to remain on the ground overnight; the soldiers were making that plain as they shifted the reluctant boomers from government property. They said nothing about daylight restrictions, and on the hope of there not being any Howard resolved to get there at daybreak in the morning. They were filing them by

sections, or localities, it appeared, notices to that effect having been posted around, those in one locality to appear between certain dates, then another shift. Howard found that he was in the first allotment, which consoled him for what would have been otherwise the loss of a day.

He was turning the resolution to make an early start to-morrow in his weary mind when he encountered Poke Jones, who greeted him warmly and took possession of him in his patriarchal way, directing him by gentle pressure on the elbow out of the dissolving crowd.

"I've been up to your place looking for you," Jones said.

"I've put in the day here trying to get in and file," Howard informed him wearily.

"Your partner told me you were here. This is a matter that can be simplified—we'll take it up later. I want to talk with you about your candidacy now."

"Candidacy!" Howard almost exploded between mirth and astonishment. "You certainly *have* got me mixed with somebody else."

"Not at all," Jones calmly denied. "The Kansas contingency in this town, the Wichita contingency in particular, are promoting the organization of a municipal government for this place, with the co-operation and consent of the federal authorities. We set the business rolling this afternoon, we've got our slate all made up, and the election is to take place five days from to-day. We're putting on a

cyclone campaign. I am the nominee for mayor on the People's ticket, and you are our candidate for marshal—that is, subject to your acceptance, which I hope there'll not be any question about, Howard. We need a strong hand for that office, and the unanimous opinion is that you're the man."

Jones got it all off his mind in a businesslike and straight-forward way, evidently not being a man to consider small details, such as consulting a man before putting him in nomination for office. It was so amazing to Howard that he stood dumb, plucking at the wing of his long mustache as if it had offended him, and must come away from the place where it was rooted at any cost. When he did find words they were not exactly relevant or encouraging to the designs of Poke Jones, fast worker from Wichita.

"Well, I'll be damned!" he said.

CHAPTER VII

IRISH STEW

THAT had been a day of great activity on the railroad ladies' lot, as Howard saw when he returned home. He was still a little dazed by the jolt Poke Jones had given him in imparting the news of his nomination for the important office of city marshal, but it had prepared him to take without sagging knees any future experience in that amazing town. Being thus braced against the unbelievable, he would not have been floored by the sight of a three-story brick business house on the lot next door, although his credulity was not to be strained so far as that.

The enterprising railroad woman had her tents up, the largest of them being no less than thirty feet long. This was flanked by two small ones and, in front of all, carpenters had thrown up a squat, sprawling, hasty plank shed, wide and roomy, complete to everything including windows. It had the distinction—eminent among the shanties of the town—of a gabled roof, neatly covered with paper composition. Its eaves presented to the street, where a door, which appeared to be doorless, opened wide. A large canvas sign stretched over a frame stood on the comb of the roof, braced securely

against the wind. It proclaimed in broad black letters with shading of red:

HOTEL SAVOY — BEDS — MEALS

Jake was filled with admiration for the enterprising family. He had as much pride in the Hotel Savoy as a stockholder, and his prejudices against women in general appeared to be greatly softened, if not altogether dissolved, by the admirable business sagacity of their neighbor.

"They built that house around her cookin'-stove, and she went right ahead bakin' bread and pies all the time, never missin' a shot. There's been more good smells comin' from over there this afternoon than out of a mush-melon patch—beef and onions, regular old-time railroad stew, like I told you she'd make."

"I think we'll have to sample it, Jake; I'm about all in from standin' around like a calf in a lot all day tryin' to get into the land-office."

"You didn't make it?"

"Not by a mile."

"And you didn't have no dinner, I'll bet a horse."

"Not a smell. Well, I'll take that back; I did have a smell of that soup-huckster's stuff—the wind was blowin' from his way. I think he makes it out of second-hand rabbits."

"Well, you trot over to the *Ho*-tel *Say*-voy and eat. The worst she can do 'll beat my best, and you won't have to wait till it's cooked. That girl she's took off her boomer rig and put on a regular

biscuit-shootin' suit, white apron and open-work socks and everything that goes with 'em. She don't look so bad when she's dressed like a human girl, neither; makes her look a foot and a half taller Did you notice her hair?"

"No, I don't believe I had a daylight look at it. Why? What's the matter with it?"

"Did you ever see any wood-lye, the kind that comes out of the old sycamore hopper back on the farm in Missoury?"

"Plenty."

"That's the color of that girl's hair. It looks like it 'd take the hide off of you if you went to pat it with your hand. Not my kind of hair; too much hell-fire in it."

"I don't believe she's so all-fired fiery, Jake."

"She cusses."

"Yes, I heard her cuss a little last night. But she'll get over that when she sheds her colt teeth."

"Well, you go on and eat."

Noll did not require much urging. It was almost six o'clock; he was hungry to the soles of his feet, and the savor of Irish stew streaming over from the Hotel Savoy put a keener edge on his craving. He cut across the fifty feet of his lot lying between him and this most pleasant adventure of a not altogether empty day, and presented himself at the gaping door.

There were other customers ahead of Noll. These were the first objects in the range of his eyes as he paused at the door, their backs presenting as they

sat at the plank table upon a hastily made bench which extended its entire length. Carpenter-made, fresh from hammer and saw, the furniture of the Hotel Savoy dining-room, trestles supporting the table, which had not yet advanced to the luxury of a cloth. There was a smell of sweet new pine, and pies, and Irish stew, and a glance discovered everything in order, for railroaders, like circus people, have an admirable facility in arranging order out of chaos which nobody else can approach.

The railroad girl was behind the counter-table, one side of it, only, being accessible to public use, serving the refreshments; the railroad mother at the stove, which stood in the end of the room to Howard's right as he lingered at the door, hand to his mustache, apparently bashful and hesitant. The girl saw him, and passed him out a smile as radiant as a slice of rainbow.

"Come on in, Mr. Howard," she invited, hospitable, happy, her smile so warm Noll fancied he could feel the glow of it in his face.

"Yes, ma'am," Noll accepted the invitation, thinking what a different girl this was from the one he had left last midnight trying to catch a nap leaning against the side of her horse. He wondered how she had come to know his name, certain that he had not introduced himself last night. Maybe Jake had been spilling information over the line.

As Noll approached the counter that astonishing girl reached across and gave him a regular old-time

Methodist hand of fellowship. She held his hand and went pulling him along toward the stove, the bench and table between them, to be sure, which may or may not have caused Noll to lean forward to spare the strain on her arm. Or perhaps he leaned simply because he was more or less wilted and helpless in the sudden discovery of so much vivacious charm.

"Mother, this is Mr. Howard; Mr. Howard, this is my mother, Mrs. Morrison," the girl introduced them.

Mrs. Morrison turned from the stove with a little start and exclamation of pleasure, and her face doubtless would have shown a flush if it had not been already reddened beyond any possibility of heightening the color by the heat of the stove and the exertions of a long, hot day. She wiped her hand on her apron and offered it with spirit, and took Noll's with a grasp that was neither halfway in cordiality nor limp with reservation.

"I'm so pleased to know you, Mr. Howard! I've wanted to thank you all day for kickin' that sneakin' jumper off of Josie's lot last night. We wouldn't have had any lot if it hadn't been for you. I'm too grateful to you for words!"

"Don't speak of it, ma'am," Noll begged her, making it almost a supplication in what appeared perfect misery of embarrassment, pulling away at the right wing of his long sun-bleached mustache as if to wrench it out of his face.

"As if I'd keep still when we owe everything to you! I went over to thank you this morning, but Mr. Zickafeller—"

"Zickafoos, Mother."

Mother and daughter laughed at this out-of-time incident, then Josie darted off like a hummingbird to collect from a diner who stood rapping the table with a coin.

"Well, he's as funny as his name, anyhow," Mrs. Morrison said. "He told me you'd gone off on some kind of business in the land-office. What is all this talk about filing I hear, Mr. Howard?"

Noll explained, and Mrs. Morrison sighed, looking around as if to call witness to the sufficiency of all her unfinished tasks without having this time-consuming matter thrust forward imperatively by the law of our federal government. Josie came and spread Howard's supper before him—savory stew and biscuits, peach pie, coffee of such delicious aroma and delightful blending that the most pretentious Hotel Savoy among the many of that name scarcely could have surpassed.

Howard could see in the satisfied faces of the customers, even if his own palate had been too thick to appreciate the wholesome delights of that meal, plenty of business ahead for Mrs. Morrison's house. Here was capable intelligence come to serve men under conditions in which the general rule was as little and as poor of everything for the money as necessity could drive the public to pay. A reversal of this hoggish business standard was so surprising

that men would spread the news to the confines of the town. Already the table was full, Josie serving with feet as light as if she had not missed a wink of sleep in a month, or stood wearily in fear of snakes and bugs no knowing how many lonesome, frightened hours last night.

The snap and snarl, the suspicion and sharp whirling to defend against imagined indignities, were gone out of her. In place of the tired, cross, dusty little boomer girl of last night here was a young woman of bright presence, soft-spoken and amiable as good breeding could produce. She seemed in such sharp contrast as to make the other one a vision that had passed away with the first raucous, troubled night of Cimarron.

Noll watched her as she flitted between stove and table, taking pleasure in her grace, making note of each little revelation of her comeliness as it became apparent to bolder scrutiny, as one discovers wonders in the mariposa lily of the California hills which its purple-flecked petals do not at once disclose.

His partner, Jake Zickafoos, was a discerning man. Homely, perhaps vulgar, as his comparison of her hair to the color of wood-lye had been, it was past improving by any simile Noll could bring forward in his mind. It had that golden-amber tint, quite unlike any hair he had ever seen, but it was not so violent in its approach to fire that a man might scorch his fingers if he put out his hand to caress it—under proper conditions, with proper

encouragement, to be sure. Lacking such favorable conditions, he would be almost certain to get burned. A fair girl, but not of the house-pent, frail and useless fairness; a brown in her eyes like agate, and little flecks of brown around them, as if flakes had come off like particles of fool's gold when she had cried some time, and washed down with her tears.

Noll inquired about hiring Mrs. Morrison's wagon and team to bring a load or two of lumber to his lot, since Jake had expressed a desire to do some carpenter work in the particular of knocking together a shanty.

"Billy's out teamin' with them, Mr. Howard. That boy's always got his eye open for a chance to do something for himself, and he's finding plenty here in Cimarron. I never saw so many people wanting things hauled as there are in this place—it looks like everybody rushed in and left their belongings to be shipped after them, or sent them on ahead. I didn't; I even brought two cases of eggs and a sack of hams," she laughed. "At least I got some of the eggs here whole."

Noll commended the boy's spirit. Considering all the strange things to be seen in that town which would appeal to the lively interest of a boy, it took something of a hero to buckle down to work. Mrs. Morrison accepted this commendation of her son's qualities with pleased face and sober little nod.

"It comes to him from having an early sense of responsibility," she said, surprising words to Noll

Howard from the mouth of a railroad woman.

While many railroad women were capable of thinking and understanding the same thing, few could lay their tongues to the words to express it in that way. He thought Mrs. Morrison an extraordinary woman for that humble, hard-burdened station and, as if reading his deepest thoughts, she seemed to answer his speculation in her next words.

"Mr. Morrison was division superintendent on the Frisco when he lost his life in a wreck six years ago," she said. "I was left with the two children and precious little means, but the company was kind—I've got no kick comin' on the way the company treated me. I asked for the boardin'-train and they let me have it, with doubts, you may be sure, Mr. Howard. But I never had any doubts from the start."

"I'll bet you didn't, ma'am," he said warmly. "But it was a hard life for a lady not brought up to it—I know something about it myself. Well, I know a good deal about it."

"It was hard, but I hired help to do the rough. I had the commissary car too, but I never sold booze like most of them do."

"No, of course you didn't, ma'am!"

The thought was so preposterous, he seemed to say in his fervid denial, that it needed no defense. Mrs. Morrison was highly pleased by the compliment; she nodded, and smiled as she dished up the stew for Josie to bear away at fifty cents a serving. Howard was seated near the center of Mrs. Morri-

son's activities, the stove at that point being little more than an arm's length from the table. He admired her dexterity, he glowed with her in her new hopes. The boarding-train life had tarnished her refinement, if she ever had much of it, as that quality is understood generally when applied to women, and it had dulled her comeliness and put hard lines in her face and hard lights in her eyes, but it was as plain as a water-tank beside the track that there was plenty of sympathy left in her, and kindness that would well up on occasion like a flood.

Her simple history had been spread before him in the few words telling of her husband's untimely end and her own untimely beginning; Howard could look down those years of boarding-train life as along a straight stretch of track, seeing everything by the way. It was a marvel that Josie confined herself to just a little cussin' now and then, and if Billy should turn out to be a seasoned veteran in the art of smoking and chewing tobacco, with a blackjack in one pocket and a razor in the other for emergencies of combat, he would not be surprised.

Mrs. Morrison, in the ingenuous manner of one who has few confidences but is proud of passing them out, seeming to read her neighbor's mind as easily as if a telegraph wire ran from his thinking-office to her own, began to talk about her children.

"They never had much chance to go to school, only two winters out of all the time we were on the

train, but of course Josie had a good start before her father was taken away from us. I used to hold up an old jerry every winter when work got slack —he was a drunkard, poor old fool! one of these slobberin' drunkards, the most disgustin' of all, but he was an educated man. I boarded him in exchange for what he could teach the children, and they picked up a good deal. Why, Josie knows Latin for nearly everything."

"I'll bet she does. She sure looks like a comer, ma'am."

"Not that it does her any good to know Latin for pick and shovel and stove and p'tater, but old Bob used to take a pleasure in teachin' her."

Howard looked up alertly, as one does who hears a familiar name dropped in conversation among strangers.

"I used to know an old boozin' sinner, a sandy-haired, big-nosed, leather-mouthed old cuss named Bob that was long on Latin," he said. "It couldn't have been old Bob Frame?"

"Yes, it *was!*" Mrs. Morrison cried eagerly, excitedly, as if she had heard news from somebody thought lost in the world's shuffle beyond all hope. "The very man!"

She stood looking at Howard with such an expression of happy surprise, spoon in one hand, pot-lid in the other, like sword and shield in her escutcheon, that he feared she was going to rush over and embrace him.

"Josie—Josie!" she called, eagerly happy, wav-

ing her spoon at Howard. "He used to know Bob Frame!"

Josie was little less excited than her mother. She came flying, her face flushed with pleasure, her eyes brighter for the discovery of this happy point of contact between the stranger's world and her own.

"I knew him up on the Santa Fé main-line," Howard explained, "four or five years ago. What became of him?"

"He used to wander off in the summer," Mrs. Morrison nodded, as if bound to account first for the possibility. "He went to the soldiers' home—poor old feller—he got too old for anybody to give him a job on the road. So you knew Bob? Well, well!"

Mrs. Morrison declared it made her feel like she'd met an old friend, and Noll maintained that it sure did, ma'am, and plucked his mustache, and looked as uneasy as if something ridiculous, if not downright criminal, had been revealed in his own past. Mrs. Morrison was too polite, too knowing, to push any inquiry into the circumstances of his acquaintance with Bob Frame, or what business he had on the Santa Fé main-line when that felicitous association was enjoyed. Every man has his past, as well as every woman, the only difference between them being that some have more of it than others. Mrs. Morrison knew this too well to hurt anybody's feelings, or frighten anybody away from her door by making inquiries or displaying curios-

ity. No well-bred railroader ever asks a switchman, for example, which wife he refers to when he mentions her: the one in Argentine, or the one in Albuquerque.

Mrs. Morrison said, with the warmth of wide-open sincerity, that she was glad to have him for a neighbor, and he replied that she couldn't possibly be more than half as happy over the fortunate allocation as he. He mentioned Billy and the lumber again; Mrs. Morrison said it could be arranged.

Noll made complimentary speech concerning the supper, expressing his desire to reserve and pay for a portion of that delectable stew for his partner, the humorous Mr. Zickafoos. After making this arrangement he departed, knowing as much about the railroad woman's past as any discreet lady could be expected to reveal, without having uncovered anything more than an interesting, though trivial, incident of his own.

CHAPTER VIII

ALMOST A HERO

"I FORGOT to mention it to you, pardner, but old Brother Jones was here lookin' for you this afternoon," Jake said, the Irish stew having revived his memory as well as his spirits, hopes and general outlook on the future of Cimarron. He returned from the Hotel Savoy picking his teeth with a long pine splinter, stepping as high as a hen on a hot griddle.

Noll received the news unmoved. He was sitting in the long shadow of the tent, the sun still being about seven hands high, seeming to loiter reluctantly over leaving the innocents of this new land to the perils of another night. Noll merely nodded, pipestem aimed at his mustache.

Jake looked at him with almost disapproving severity, as if wondering what it would take to jar that fellow out of his easy-going attitude toward the marvels of the world. He got out his pouch and papers, never turning an eye to the business of rolling a cigarette, a thing which he could do in wind as well as calm, dark as well as light.

"He had three or four of his Dunker or Mennonite brethren along with him. I thought they either wanted to lynch you or git you to join their church."

Noll looked up at his mule-roached partner, grinning.

"Did they all have whiskers on 'em?"

"No, not all of 'em, but they all looked kind of holy."

"Naturally, seein' they're from Kansas, and from Wichita in particular. I saw him, Jake; ran into him a little while before I came home. No, he didn't want me to join anything; just to tell me they've nominated me for office."

"Office, hell! What office?"

"City marshal of this man's town."

"Meanin' they aim to make that a one-man job here in Cimarron?"

"That's the ticket, Jake. They're organizin' a city government to get out from under the soldiers and United States marshal, and I guess pass a few laws and collect a little coin, and so forth."

"That's what Parson Jones wanted to know your first name for—to print you on the ticket."

"Did you tell him?"

"Sure. All right, wasn't it?"

"Perfectly all right. The trouble with that old chap is he's got me mixed up with somebody else. He thinks I'm a notable from the short-grass country. Well, I didn't feel called on to reveal my past history to put him right."

"The least said on some things the better," Jake declared, his deep feeling in the matter of personal history evident in the fervency of his words. "Did you tell him you'd run?"

"Why, it kind of jolted me at first, but I hunted him up afterwards and told him I'd take a chance along with him. He's up for mayor on the same ticket."

"Maybe he'll do," Jake seemed to soliloquize, looking intently at his cigarette, turning it slowly between finger and thumb, "but my private opinion, spoken in public, as the horsethief said when they was hangin' him, is that he's a crook."

"I've got a sneakin' feelin' you've got him wrong, pardner."

"He's got glue on his hands."

"Well, he's in the furniture business."

"But I don't mean that kind of glue. I mean graftin' glue. There never was a dime wore so slick it wouldn't stick to his pa'm the first pass. I bet the first law he passes 'll be to make every man in this town pay poll-tax. I had to pay it three times in one year when I was in Californy. Every county I stopped in long enough to change my shirt they grabbed me—receipts didn't go. So I stole a horse and lit out of that blame country."

"Sure you did," said Noll, lightly, as if he was a horsethief in good standing himself.

"Well, I traded an old pelter with a ring-bone spav'm and a glass eye. It was the same as stealin'."

"Did you ever hear of anybody by the name of Howard back in Kansas that had a reputation as a gun-artist, Jake?"

"No, I never did. But I never worked on that

range to speak of—took a job from a feller at Medicine Lodge one time, but I didn't like it and went on to the Panhandle. Has Jones got you crossed with some of them old-time shootin' hands up there?"

"He talked as if there might have been a Howard up there one time who made his mark in more ways than one. I never heard of him, but it's possible he passed on and was forgotten before my time."

"Howard—Howard," Jake turned the name thoughtfully as if to stir up some association that had sunk to the bottom of time's swift-running stream and become covered by the silt of years. "Howard—um-m-m-m—Howard." Suddenly Jake brightened as if his grappling-hooks had caught something. "I got you, pardner! Howard. Old Parson Jones thinks you're Jesse James!"

"Jesse James?" Noll repeated, too astonished for even a grin.

"Sure, Jesse James. He went by the name of Howard."

"But Jesse James has been dead ten years or more."

"Some say he ain't dead; some claim Bob Ford killed another man they planted, all a frame-up so Jesse could settle down and live peaceful and Bob Ford could collect the reward."

"I've heard some such story, but there's nothing to it. It was Jesse James he killed, all right."

"Some say Jesse's livin' in Kansas City right now," Jake went on excitedly, his bristling hair

seeming to stand a bit more erect, as if he believed himself in the presence of Missouri's most illustrious and respected son. "They say he cut off his beard and left a long mustache, and drives around in a red-wheeled buggy takin' it easy on the money he's saved."

"Why, you old cuss, do *you* think I'm Jesse James?"

Noll pinned the question on severely, not at all pleased by the doubtful compliment.

"I ain't askin' any questions," Jake replied, diplomatically evasive.

Yet it was easy to see that he was more than half convinced by his own peculiar logic, anachronism beside the question.

"Jesse James would be sixty or sixty-five by now, Jake; I'm thirty-two. That seems to let me out of the calculation, don't you think?"

This incontestible argument cooled Jake's high animation, although he gave up reluctantly the hot trail he fancied he had his nose to.

"It won't do them fellers any harm to go on thinkin' you're Jesse James, nor the crooks that's standin' around waitin' to turn this town upside-down and shake its pockets empty the minute the soldiers take their hands off, neither. If they elect you for marshal, pardner, you've either got to have a dang big reputation back of you or a mighty quick gun-hand hangin' on the end of your arm, I'm here to relate."

"I don't doubt you're right about it, Jake, and

I've not got either one or the other. I expect there's a thousand men in Cimarron that could beat me to a gun."

"I don't know how fast you are, pardner, but I'm hopin' you're quicker than the speediest poker shark that ever flipped a card."

"Jake, I think I've got about as much chance of bein' elected marshal of Cimarron as I have President of the United States. Time enough to worry about swimmin' the river with a logchain around your neck when you have to do it."

"You'll win, hands down," Jake declared loftily.

"Don't bet any money on it."

"Here comes Doctor DeGravy Green," said Jake, disregarding the admonition like a strong-minded voter. "He was over talkin' to me this evenin'—looks like he's had a case."

Dr. DeGarmo Green came stepping along briskly, putting his heels down hard, a pompous, important air about him as of a man who had come into his kingdom with all the prideful appurtenances thereto. He was a ginger-whiskered man of small stature, his small dark eyes looking very combative under frowning black brows. He gave the partners a friendly salutation as he came abreast the tent. Jake stepped out and flagged him.

"Doc, I want you to meet my pardner, Mr. Howard," Jake said.

Dr. Green wheeled like a mettlesome little horse, fairly snorting his pleasure. He was arrayed in a white shirt, which appeared vast and conspicuous

on his short figure, the collar-band open, splashes of horse-medicine on the bosom and sleeves, the latter rolled up to the elbows, leaving the doctor's muscular forearms bare for the contest with equine ailments. His professional-looking black trousers were supported by broad yellow suspenders; his battered Panama hat was pushed back from his steeply intellectual forehead, and he was sweating like a haymaker.

"I've wanted to congratulate you, Howa'd, on your masterly way of handlin' the vilest type of biological specimen that infests the earth—the low-creepin' hybrid called the jumpah," said Dr. Green. He spoke with a soft accent, a lazy deletion of the *r*, reminiscent of the atmosphere of San Antone.

Noll laughed, jerkily, nervous, uneasy and embarrassed in the face of praise, which appeared to hurt him more than a kick.

"Maybe I picked an easy one to handle," he suggested.

"None of 'em's safe-handlin'," Dr. Green insisted, as if speaking out of experience. "They've settled around thick as grasshoppahs, waitin' to jump in every time a back is turned. No man knows when he leaves his lot who he'll find disputin' possession with him when he comes back. The soldiers stop some of the rawest steals, the downright murderin', but I'll venture a bet that a fourth of the lots in this townsite have got contests on 'em right now, and that's not considerin' all the poor devils and scairt women that have been bluffed into payin'

them damned jumpahs to get off, or lost to 'em because they couldn't afford to stand the blackmail."

"Yes, they're as thick as ticks," Jake said. "Every sooner that got kicked off of a claim has come here to Cimarron to try the graft of jumpin' lots. It looks to me like there's more sooners than honest boomers in this town. It's a reg'lar Sooner Land."

"It is, for a fact," Dr. Green agreed.

"But it's goin' to be different in a few days, after election," Jake declared with easy confidence.

"I've heard about a move to organize a city gova'ment, but I don't know how that's goin' to benefit us much. It all depends on the kind of men that get in the saddle."

"When we elect Howard for marshal these jumpin' sooners 'll have to claw gravel."

Jake spoke of it as something understood between friends, casually, not as if throwing out an important piece of news.

"What's that? Howa'd for ma'shal? I hadn't heard of it."

Dr. Green threw up his head, snorting in his horsey way out of pure pleasurable excitement.

"Mr. Howard," Jake nodded, placing significant stress on the name, looking knowingly at the horse-doctor; "Mr. Howard for city marshal. Vote for Mr. Howard."

Dr. Green did not appear to get hold of the big secret in spite of Jake's broad hint, emphasized by

repetition and sly look across his nose. Howard as Howard seemed sufficient for him. He shook hands with the candidate, pledging not alone his support at the polls but activity on his behalf among the owners of his patients.

"The lack of a newspapah is responsible for my unenlightened condition on your can'idacy, Howa'd," he explained, a fine shading of regret, apology, self-arraignment, in his words.

"Don't speak of it, Dr. Green," Howard implored almost abjectly, his feeling of the little man's sense of humiliation was so keen. "When you consider that I didn't know anything about it myself two hours ago you'll see you're fresh and well informed. But I hear there's going to be a newspaper out in a day or two."

"Yes, the *Evening Stah* will make its first appearance to-morrow, so the edito' was tellin' me when he was around solicitin' an advertisement from me to-day. Small at the beginnin', but it may enla'ge into a moon if the hopes of all of us come to fruit in Cimarron, gentle-*men*."

Dr. Green kept turning a watchful eye toward his lot as he stopped for this exchange of news and views with his neighbors, seeming to start and bristle with combative apprehension every time the wind shook his little tent. He was florid in his declaration that the city would be safe under Howard's guardianship; that a man could then put his haid on his pillah and stretch his laigs in a sense of complete security. Jake Zickafoos, chew-

ing tobacco with an invincible look in his undeniably shallow jaw, said that was a cinch. The crooks would be crowding the roads in a bigger rush to get away from Cimarron than they had put on to get there.

To all of which Noll Howard listened with a plagued and uncomfortable expression, with considerable holding-on of his mustache, and bashful elongation of the corners of his mouth.

"The madam, Mrs. Green, and my small but int'restin' and lively family of two boys, will arrive in the mo'nin'," the doctor announced. "Meantime, I have nobody to keep an eye on my possessions, real and pusonal, while I am out attendin' to the ailments of the hoss. But I tote a gun in my instrument case, and I've vowed I'll shoot the first jumpah to jump my lot squah between the *ob*scene eyes—so help me Bob I will!"

With renewed assurance of his undivided support, Dr. Green shook hands with Howard again, and went on, lifting his heels high like a man walking in snow, and setting them down hard as if he would stamp his monogram into the soil of that place, so that all who followed might see that consequence had gone on before.

Jake said he believed he'd borrow a saw and a piece of board from Mrs. Morrison and make himself a bootjack, in which enterprise of the toilet his partner lent encouragement. The job was soon done, and Jake said he believed he'd put on some socks and walk out to size up the town; that boots

always came off easier with socks than without socks, especially in summer, when a feller's feet stuck to the leather; that he was a dang fool for startin' out on that run without socks, and he hoped he could get his boots off without upsettin' the tent.

He managed to accomplish it, with a great amount of grunting and the springing of a copious sweat. His relief at the feel of grass between his toes was so great that he began to sing, sitting in the tent, not doing a thing but taking his enjoyment for a little while in the unshackled ease of bare feet. His voice was high, with a cowboy wail and a nasal pinch, and this is what he sang:

N-n-ow-ow, Jesse was a man and a friend to the pore,
And for money he never suffered pain;
It was with his brother Frank that he robbed Chicago bank
A-a-and stopped the Glendale train.

"He never robbed any Chicago bank!" Noll, sitting outside the tent, protested indignantly. "He never was anywhere near Chicago."

"Wasn't he, Mr. Howard? How in the hell do you know?"

O-o-o-o-o, they went to the car, and it wasn't very far,
A-a-a-and the money in the safe was their aim;
A-a-and the agent on his knees he delivered up the keys
To-o-o-o-o-o Frank—and—Jesse James.

CHAPTER IX

DISTRESSING NEWS

Poke Jones had acquaintance and influence within the land-office, as he appeared to have in the very center and heart of every enterprise worth considering in the town of Cimarron. He came ambling along in the middle of the blazing hot forenoon, plucked Noll Howard from the crowd of tagged candidates waiting their turn before the land-office, and carried him away on an electioneering expedition. Along about five o'clock, just before the land-office closed for the day, he would pass Howard in through the side door and the business of filing could be attended to without the long and tedious wait among the unelect.

It looked like an unfair advantage, a rather sneaking and cowardly advantage, to Howard, but he agreed to take it, seeing that his chance of approaching the front door that day was extremely doubtful. In company of the somber Mr. Jones he set out on a round of the new city, which was fast emerging from the chrysalis state of canvas to a hard-backed and more durable condition of boards and corrugated sheetiron. The transition was not greatly to the advantage of Cimarron in an esthetic way, for it was a most jagged, plank-protruding, rough-and-ready carpentry displayed in the new

structures, great and small, everywhere around.

Yet the progress was astonishing, almost to the limit of credulity. Where all the lumber could have come from on such short notice, and all the carpenters to saw and hammer it, seemed a thing beyond the possibilities of transportation. Nothing short of trainloads of scantling, planks and shingles were going into the buildings of Cimarron that day. The smell of new pine planks was in the nostrils at every breath, and of tarred building-paper, and paint. Large gaunt structures were skeletons of upright studding and slant rafters when one went down the street; astonishing great boxes, with windows and doors roughly outlined, when one had finished his dinner or brief business and came back.

Jones and his fellow promoters behind the city government enterprise had opened headquarters in a large tent on Avenue A. There the late citizens of Wichita were taking turns from their business activities to pass out handbills, hold audience with those who came seeking information, and even mount a wagon drawn up for that purpose beside the tabernacle of the new party, and boost their cause in far-carrying Kansas oratory.

To this tent Jones piloted the somewhat doubtful, undeniably embarrassed, candidate for city marshal, where he was introduced to the pillars of the party and some of the candidates. They received him with deferential cordiality, which appeared to Howard at once placative and guarded, as if they expected something unconventional from

him in word or deed. Whatever reputation Jones had given him had gone ahead.

On the face of it they were easy and unconstrained, but there was something furtive, questioning, overdone, in their very deference. He felt like an Arapahoe delegate at a Y. M. C. A. convention, whose fellows rejoiced in his salvation, but doubted that his regeneration was complete.

Howard was fully confirmed by this behavior that Jones had mistaken him for some notable or notorious person of the same name. And that reputation and name could not be assuring in the ears of honest men, no matter how effective it might be among rascals with the added authority of law behind it. It made him uncomfortable to acquiesce in this stupid duplicity, and it made him angry that Jones had bull-headedly refused to listen when he had attempted to set him right. Jones had jumped at a conclusion; the coincidence of the names Howard and Caldwell had jangled some rusty memories in Jones' cupboard.

Caldwell was one of the wild cow-towns of a vanished day; its lights had been dim and all but out for four or five years, the hurrah and gun-fanning quieted and done. It had been a bad town, with enough gunmen in and around it to set up two or three frontier towns fully equipped. Maybe there had been a Howard among them, remembered by Poke Jones. Such a man need not be burdened by years yet, nor of necessity any older than himself. They started young and usually finished

young in the days of Hunnewell, Caldwell and Medicine Lodge.

He could not allow himself to go ahead in this false position, under this ridiculous cloak of notoriety belonging to some other man. Something would happen to expose him as a thunder-thief; somebody would pop up who knew the other Howard, and his despicable acquiescence in the fraud would be exposed. He looked around for Jones, feeling resentful and imposed upon, not sure, either, that there was not some scheme under the old cuss's whiskers that might not turn out exactly honorable in the end.

Jones was very busy assembling a band for the parade they were going to put on during the noon hour, when the hammering and sawing would cease from troubling and the wobble-saw carpenters would be for a little while at rest. He had collected five men who insisted that they were perfectly capable of coalescing into a harmonious unit in spite of their most discouraging appearance. Jones left them to begin a rehearsal behind the tent when Howard insisted on having a word with him aside.

"See here, Jones; I can't go on with this business," Noll blurted. "At least not under false pretenses, travelin' on somebody else's reputation."

"Not at all, not at all," Jones assured him in his calm, suave way. "There's no deception in the case whatever. Your name's Howard, ain't it? And you *are* Howard, ain't you?"

All of which was so undeniably true that Howard had to admit it, reluctantly as he lagged in the traces of official pursuit.

"But I'm not a gunman, Jones; I'm not a man with a big reputation back of me. You've got me—"

"Your record right here in Cimarron is all we require, Howard. That's perfectly satisfactory to us. Damn it all, Howard, don't be bashful—we've got it all set to sweep this town on election day. We all left our past behind us when we made the run into the Strip. What in the name of good manners do you want to go pokin' into it for and stirrin' up a stink?"

He gave Noll a jovial dig in the ribs with his thumb, like a horse-trader trying to surprise some mean trait out of a nag he is bargaining for, a deep throaty, whisker-hidden laugh down in him somewhere which did not so much as ripple a hair on the surface.

"Since I consented to run for the office I suppose I'm in honor bound, more or less, to go ahead with you fellers, but I'd like it distinctly understood—"

Jones looked at him with crafty knowingness, a smile wrinkling around his deep-shadowed, sorrowful eyes, as if to say it was understood between them, without more words, that they both were grafters but, like all men who stood up for office, they must present an honest front in the campaign. In other words, shoot first, and let other people do the talking after the offices were won.

Howard believed he got just a little glimpse behind the logwood door of that solemn old pirate from Wichita and saw a flicker of humor, transitory as a shooting star. There was a joke in the business which Jones relished, but it was not his time to laugh. It came to Noll suddenly that the old rascal was not deceiving himself in any particular of the candidate for city marshal's past. Jones knew blamed well that he was just a stray who had been introduced to public notice by getting innocently involved in a row. Jones had needed a quarter-back for the People's ticket; the incident had played into his waiting hand.

Slick old boy, too; you'd have to give him credit for that. Noll hadn't a doubt that Jones had manufactured a wild and noisy past for him. It would be simple enough for a resourceful man like Jones to explain it if the record ever should be challenged. But why had Jones picked on him for the office? What did he have up that somber sleeve that he wanted to shake down when he got the job of mayor, that he'd need a good, hand-fed city marshal to help put over on the public?

One thing was certain; Jones didn't know anything about his past, and he didn't give a damn about it, either. But he must have a job ahead for the city marshal that would either take teeth and claws to ride, or one that called for a suborned weakling to do his will.

It would be a joke to get elected and put a bowlder in the old boy's track. That would serve

him the proper turn for picking a man out of the crowd for one who could be bent like a hickory stick over a fire. Maybe there was nothing to the suspicion; perhaps Jones was as straight as they grew in Wichita, or anywhere else in Kansas. But that little glimpse behind the black door of his somber habit had seemed to reveal something. It would be an adventure to go on with, see it through, get elected and watch the old lad's hand.

Jones was talking to a group of sweating patriots, giving instructions for the forthcoming parade, having turned from Howard with that succinct declaration that this was no time for explanations. Now he faced back again, cool and deliberate, his long ministerial coat hanging unbuttoned like a curtain partly drawn upon solemn mysteries, his vest circumspectly closed over his hard-breasted white shirt, a twinkling now and then of gold collar-button in the neckband of the garment, which was unadorned by either collar or cravat.

"So, you'll march on to victory with us, Howard? No sense in throwing away a good office when you've got it in your hand. I'll guarantee it to pay you not less than a hundred dollars a month—I'll guarantee you that."

"Go to it; I'll march," Howard replied.

Jones gave him that sidelong look of crafty fellowship again, slammed his shoulder with a hand as big as a shovel, the little wrinkles of mirth gathering around his dolorous eyes.

"We're going to have opposition," he said. "A

gang, mainly Democrats from Arkansaw, calling themselves the Liberal party, have nominated a ticket. I look for another ticket, from present indications. I'm hoping, anyhow. But we've got a cinch; we beat 'em to it on the name, and we've got organization, *organization,* Howard. I've got fifty men at work in this town right now."

Howard admired the way Jones put on a campaign, and said so. Jones pulled a long breath of satisfaction, nodded his grave, if not exactly reverend, head, his flat, broad-brimmed black hat down to his eyebrows. The hat cut off a considerable part of his countenance, an important part in forming judgment of his character, but his face seemed two feet long without it, the beard was so much a living part of him.

Narrow and bilious was Jones' face; his teeth small, wide-spaced, peculiarly white and immature. They were much to be seen when Jones talked, for he kept his long mustache spread back from his mouth with meticulous hand; weak, childish incisors, they seemed, for the fodder Jones' large hard frame suggested.

"The new paper is backing the Liberals," Jones said, little concerned over this support. "The editor's a fellow named Evans, a kind of fly-up-the-creek from Hutchinson. He'll come around swift enough after election, smellin' for the city printing, but we're men that remember our friends—hey, Howard?"

Behind the tent the bandsmen had struck up a

tune after many false starts, abrupt stops and much stumbling. One insistent, valorous cornet and the base-drum were doing most of the work, although the tuba got in a stroke now and then like a hoarse goose with hopeful effect. Jones was elated by the racket; he rushed off to bring the band in front as if he feared the opposition might get some credit for the public treat should the musicians remain unseen. As for Jones, the business of Howard's candidacy was settled, and Howard, feeling a thrill in the adventure now that he had not experienced before, considered it so himself.

But the thrill he got out of the situation did not come from the jagged strains of *Blaze Away* which the band jerked out of trombone, twiddled forth from catarrhal cornet and lambasted out of flaccid drum. Not at all. It arose out of the mystery of the thing concealed in the long black sleeve of Poke Jones' coat, which only victory at the polls would reveal.

It was well past five o'clock when Howard came out of the land-office with his papers which gave him at least the foundation of title to the two lots. The campaign-wagon, carrying the band and several candidates, had put in hours spreading the gospel of the People's ticket among the electors of Cimarron. Howard had gone into the campaign with his coat off and his gun on, greatly to the delight of Poke Jones, and he had proved the most effective speaker of the entire crew. Jones said

there wasn't a doubt about it; they had the election in a sack. All they had to do was tie the mouth.

Howard turned up Avenue A toward his holdings, revolving in his mind the form of relinquishment that must be drawn up to put Jake in unquestionable possession of his lot, deciding it was a job for a lawyer, as it must be a document without holes. When he came to the Hotel Savoy he stopped, coming up short, an exclamation of surprise under his breath.

Not so much on account of the box house, finished to the last nail, on the horse-doctor's lot, for that was to be expected of an enterprising man; nor yet the beginning of a similar little box house on his own lot, for he had arranged with Billy Morrison to haul the lumber that morning. The marvel of it was the tent on Jake's lot, and of Jake himself, sitting as if bowed by misfortune or sudden sorrow, in the door of the skeleton shanty. Noll hurried forward.

"How come?" he hailed Jake, with a note far more merry and light than his heart felt at that moment. "What's the new outfit on your lot? Been sellin' out, or takin' in friends?"

"Jumped," Jake replied dolefully, shaking his head, refusing to meet his friend's eye.

"The hell you say! Well, what 're you settin' there for? I've got the papers to it, nobody can hold that lot. Why don't you get your gun and chase 'em to hell out o' there?"

"Pardner, I can't take no gun to that outfit," Jake replied.

He drew a big breath, as if bracing himself to have his leg cut off, looked up with a funny square set to his shallow jaw, met his partner's astonished eye gravely, sorrowfully, and hopelessly as a defeated man.

"Why not?" Noll inquired, his astonishment growing, scorn of Jake's apparent pusillanimity outweighing his resentment of the trespass. "Why can't you take a gun to 'em? Well, if you can't, I can!"

"Hold on, pardner!" Jake stopped him as Noll was loping off loosening his gun in the leather. "You can't take a gun to that dang jumper no more than me, pardner, it's a damn lady!"

CHAPTER X

THE LADY JUMPER

WHATEVER one might have expected of a lady jumper in the particular of nimbleness, or saucy impertinence, or even ferocious charm such as graces the predatory birds and fishes, this woman did not possess. She was probably the homeliest lady jumper that ever sneaked in upon an unguarded lot. Hateful imagination could not have exceeded the reality of her gross vulgarity.

She came blundering out of the tent like an enraged cow at the sound of this colloquy between the partners, particularly angered by Noll's declaration that he would clear the atmosphere of jumpers out of hand. She was a woman of large loose figure, whose body appeared to have outgrown her head, which held about the same relation to it in size as a pea to a potato. Her face was small, crude impression of a vulgar seal on the front of her neck, it seemed, but it was the very concentration of cussedness.

She was garbed in a dirty drab wrapper, of the style commonly called Mother Hubbard, but it was not voluminous enough to lend line to or afford concealment of her rancid monstrosity. She was the debasement of female grace; a stall-fed caricature of every womanly charm. Her slop-colored

hair was scant and short, gathered up in a frowsy knot to crown the torpedo-point of her head. She was barefooted and greasy, and tall as a man. There must have been a trampled piece of earth in the Ozarks of Missouri that felt lonely for her feet that day. She came marching over to the partners' tent, a shotgun in her hands, insolent, defiant. She had no more eyebrows nor eyelashes than a hen.

"Who's goin' to take a gun and fire me off of this lot?" she wanted to know.

"You seem to have the bulge right now, ma'am," Noll admitted, but he looked at her sternly, as if to arraign her at the bar of fair play for the mean advantage she had taken of a tender-hearted man.

"Course I jumped his lot—course I jumped it!" she exulted, raucous, rough-throated like a crowing hen. "He wasn't on it, nobody wasn't on it, and I jumped it, like I've got a lawful and legal right to, and I'd like to see the man or pair of men that's goin' to take a gun and run me off!"

She uttered her justification and defiance in a loud voice, making it at once a challenge to the public and the former holder of the lot. She was brazen about it, as a man hardly would have dared to be, going on the concessions traditionally granted in the social, moral and legal relations of her sex to male society. Her bellowing demonstration quickly drew a crowd, which plainly gave her great satisfaction. She exulted in her meanness and gloried in her open dishonesty, parading up and down across the front boundary of the lot,

warning all comers to set foot across on the penalty of being blown to hell.

If there were any admirers among her spectators they were of her own calling. Men muttered, and cursed her under their breath, but everybody kept a wide margin between himself and the disputed lot.

"Now you see her," said Jake. "That's the kind of a lady *she* is!"

"Yes, I see her," Noll admitted glumly.

Josie Morrison appeared in the door of the hotel, where she stopped a moment to hastily take her apron off and toss it inside. Then she came running across lots to join the partners where they stood lugubriously helpless, looking at the parading jumper, whose public defiance was growing into aggressive exultation.

"Ye-e-es, you can stand there shakin' like a couple o' dogs shut out in a hailstorm," she mocked them. "Let me see one of you make a break to set foot on this lot and I'll pepper his hide!"

"Look at the old blister!" said Jo. "She knows neither one of you men is goin' to throw her off on her old greasy neck, but if you'll give me your gun a minute, Mr. Howard, I'll show her where she hits the grit!"

"You'd do it, all right," Noll said, fully convinced that she would. He felt the conviction so deeply indeed, that he edged away from Jo a little and put his hand in gesture of denial on his gun, shaking his head as he backed away. "You'd do

it, but there's no use of you takin' a chance."

"She'd blow the wishbone clean out of the old devil!" said Jake.

"I'd 'a' run her off of there an hour ago but you wouldn't let me have your gun," she chided him.

"Then you wanted to go after her with a butcher-knife, didn't you?" Jake said, his admiration equal with his gratitude for Jo's loyalty to her friends. "Yes, and if I hadn't 'a' stopped her she'd 'a' went after the old hellion—she had the knife under her apron, makin' a bee-line—"

"She wouldn't shoot!" said Jo. "I'd dare her to shoot!"

"You can't tell about that kind," said Noll.

"She's a coward—anybody that jumps a lot's a coward!"

"Yes, and you give a coward a gun and corner him, and he's worser 'n any hombre feller that ever lived."

Jake seemed to speak on the authority of experience. He had a far-back, retrospective look in his eye as he watched the jumper woman dashing back and forth in a state of exalted frenzy of defiance across the lot.

Just at that moment the jumper woman paused on the dividing line of the partner's lots, and squinted along at their tent. She came on a bull charge toward it, and the three who stood close by.

"Git that tent off of my property!" she ordered.

The order was given more for effect than in the expectation of anybody jumping to obey it, as the

immediate action of the jumper woman confirmed. Without waiting for anybody to bear a hand she began knocking the tent-pegs out of the ground with her bare heel, which appeared to be as hard as a hoof. The pegs were not set very deep, the partners having driven them with a piece of board the evening they put the tent up, but some were too solid for her heel and these she knocked loose with the butt of her gun. Very quickly the tent collapsed and the jumper woman stood glaring at them over the ruins.

Noll turned away, knowing that words with her would only add to the public diversion, the jumper's satisfaction, and promote their cause not in the least.

"Come on," he said to Josie and Jake, making his retreat as dignified as possible. "Let the old hippopotamus have her show—she'll not last long. She never can get title to the lot; I filed on both of them to-day. I've got the papers right here."

"But how 're we goin' to get her off?" Jake worried.

"In the first place, how did she get on?" Noll asked him.

"I was hammerin' away over there and didn't hear her sneak on."

"Of course. I didn't have any business allowin' you to work on that fool house of mine, Jake."

"I ort 'a' put the tent out in the middle of that lot as soon as the lumber was onloaded on this one," Jake lamented. "That'd 'a' fixed 'em."

"As long as you've got the papers, Mr. Howard, why don't you get the soldiers to put her off?" Josie suggested.

"It might be worth tryin', anyhow," Noll said, answering her above his doubt.

Josie was strong for the soldiers; she urged them to go after the guards at once, and not to neglect their things lying there, either, part on one lot, part on the other, the way the partners had arranged them in the tent. But the jumper was not disposed to arson, thief that she was, murderous as she would be if pushed into a coward's corner, as Jake so well realized. She began throwing things across the line even that moment—blankets, clothing, skillets, pots and all. There was nothing that she could break.

Indignant, flushed like a hollyhock and as tall and stately in the evening sun, Josie was for going over and giving her a good sound railroad dressing-down, since they would not consent to violence of a more salutary form. Noll would not hear of it, and Josie flashed back to her work, the admiration and gratitude of the partners following her like incense of the open fields.

"Was she carryin' that gun and tent with her, Jake?" Noll inquired, considering it possible, but not accepting it as probable.

"No, she had a regular gun when I saw her first. I thought she was just cuttin' across, or lookin' around for somebody when I saw her first, but when she kep' standin' out there by the road like

she was waitin' for somebody my suspicions crope up. I started over there to ask her what she wanted, and she frisked a gun out of her pocket or from under somethin' and told me to hit it up away from there. 'You're makin' a mistake, lady,' I says to her polite and decent. 'This is my lot.' She pushed that old before-the-war gun in my face and she says: 'You're makin' a bigger one. It ain't your lot; it's mine.'

"Well, by golly, I argued with her, but she begun to swell up and git mad, and she looked like she'd shoot as lief as not, so I hit it up away from there. Purty soon a feller with one leg drove up and dumped that tent and things on the lot like they'd been watchin' and waitin' and was all set to jump it the minute my back was turned."

"What kind of a lookin' man with one leg?"

"A chunky feller with a grizzly-gray mustache and a team of bays."

"Yes, I know him. That is to say, I've met him. I run into him the other night when a bunch of fellers was crowdin' him purty tight, tryin' to drive him off of his lot. That was the first night here."

"He's the old sinner you saved from them sooners? He's the one you was protectin' and defendin' when that sooner shoved the gun in your face and you took it away from him and told him to trot along? Sa-a-ay, man!"

"He's the one. How did you hear about it?"

"Doc Green was tellin' me, Josie was tellin' me, everybody in town knows about it. And that's the

way he pays you for savin' his lot—the old sooner! I bet that old woman's his wife. She'd 'a' jumped your lot as quick as mine if it'd been empty a minute."

"Of course she would."

"Let him come back—let that dang peg-leggid sooner come back! He'll be a no-leggid man the first time he shows up around here! I'll cut the other 'n out from under him as sure as I'm old enough to vote."

"I'll go and see the old cuss. Maybe he's got a streak of decency in him, although I doubt it."

"If he's got a grain of honorableness in him—but he ain't, pardner," Jake broke off his hopefully begun speculation. "I'll watch her while you're gone. If she sets a hoof off of that lot I'll jingle a handful of hot lead around her old bare toes and start her back to Arkansaw, or wherever they raise that onery breed."

"They say the old devil's a sooner, so I don't suppose we'll get much satisfaction out of him," Noll said.

"It's rainin' sooners around here," Jake said disguestedly. "Damn this Sooner Land!"

Noll was pretty hot under the collar when he confronted the one-legged man, whom he found stirring up a mess of cornbread behind his wagon. The old sinner acted as if the news winded him, putting on a hypocritically insufficient face of astonishment and helpless regret. He put down the wooden bowl containing his batter, dropped his

arms nervelessly, sighed helplessly, shook his head.

"If I'd 'a' knowed it was your pardner's lot, mister—but if I *had* 'a' knowed I couldn't 'a' stopped that woman."

"Why not? Ain't she your wife?"

"Well, she ain't so much my wife as I'm her husband. I don't amount to no more than a knot on a log in this shebang, mister; that woman she's the general, and she's a Tartar! But I've only got one leg, mister; I can't stand up for my rights like a sound able-bodied man."

"Oh, damn your gab! keep it for somebody you can fool. How did it come you got there with a tent and things about as quick as she did if you wasn't on the watch for my pardner to step off of his property a minute?"

"If you knowed that woman as well as I do, mister!" the one-legged man said meekly, sadly, his head bowed like a broken spirit, a sigh of utter defeat whistling through his hairy nose.

"You'll get your wife off of my pardner's lot, or you're goin' to have a little session with me, and that purty damn sudden!"

The one-legged man looked up with expression of pathetic insufficiency. If Howard had set him the task of clearing the townsite instead of one lot, he could not have pleaded his inequality to the task with more eloquence.

"If I was to go up there and tell her to git off of that lot she'd shoot me down like a hog," he declared.

But his words lacked conviction; they were shallow pretense and crafty evasion, if not downright sneering mockery and defiance.

"All right; I'll give you till daylight to-morrow morning. If she's not clear of that lot by then, you and I are goin' to mix."

"I'd just as soon you'd shoot me, mister, as her," the one-legged man sighed, trying to appear beaten, and indifferent from long suffering to any fate. But he was a poor actor, for sincerity was not in him, and even a rogue who attempts deceit must at least believe in himself.

Howard turned to leave, having laid down the conditions exactly as he meant. He vowed grimly to himself that he would march that scoundrel up to the lot and shoot him without compunction if he failed to carry out the ultimatum. Maybe the woman would give up the lot to save the crafty old sooner's life. She sure would be given the chance.

"Say, mister!" The one-legged man came hobbling after Howard, hopefully excited, as if he had struck a solution. "Let me tell you, mister."

He came hobbling along laboriously, like a greatly handicapped man, quite a different figure from the flying vaulter who went swinging in long loops after the gang Howard had saved him from a few nights past.

"Mister, that woman she won't listen to me, no matter if I do tell her you're goin' after me with your gun, but if your pardner was to hand her a

couple of hundred dollars she'd disappear off of that lot like a scairt colt."

"I'll bet she would," Howard agreed.

He walked off, scorning this amicable suggestion, leaving the one-legged man glaring after him with no pretense whatever in his rascally old hillbilly face.

"Yes, it's his wife, all right, although he says he's nothing but her husband," Noll reported to Jake.

"I wouldn't doubt he's right about that, either," Jake allowed.

He looked across to where the jumper woman was sitting, flat on the ground, her legs straight in front of her, like a greasy rag doll. She had stationed herself about midway between her tent and the center line of the two lots, as if to overhear the report on the errand she very likely knew Noll had been absent upon, for he had seen her watching him as he left, and her husband's outfit was not more than a quarter of a mile away, in plain sight of one who knew where to locate it.

"He says his influence over her is very weak," Noll continued.

"And he can't budge her, much as he'd like to, and sorry as he is not to be able to oblige a man that stood up for him when they had him pushed out to the edge and no place to jump."

"That's about the size of it, Jake. She's posin' over there, lookin' her handsomest, waitin' for you to come and hand her two hundred dollars."

"She'll wait some time! Well, if her old man can't budge her, I'm goin' to see the captain of them soldiers and find out what he'll do."

"No use botherin' the soldiers about it, Jake. I've got an appointment with that one-legged man at daylight in the morning, if he's goin' to be careless enough to let his wife lay out there alone in that tent to-night."

Jake shook his head, doubtful of the efficiency of that scheme.

"He'll skip," said he.

"Not unless he abandons his lot, or relinquishes for a few hundred dollars, which I don't believe he'll do. Anyway, he wouldn't leave without her."

"Well, I'll be up and around about that time in the mornin'," Jake nodded grimly, his shallow jaw set very hard.

"You'd better trot on over to Josie's now and eat. You've been workin' hard all day and I've not been doin' a thing but ride around in a wagon with a band, havin' the time of my life."

"I *was* hungry," Jake said, somewhat sadly, as if in regret of something irrevocably lost, "along about four o'clock, before that dern jumpin' woman come. Well, a man's got to eat reg'lar to keep his good looks, they say, and if that old lady's foot slips while I'm gone—"

"Leave her to me," said Noll.

CHAPTER XI

EDITORIAL SCORN

THE jumper woman's foot did not slip while Jake was soothing his disturbed appetite with a pound of steak and a proportionate invalid's helping of the trimmings which went with it. There did not appear to be any likelihood of her slipping for a long time to come, judging by the ample supply of food that she had in her tent.

She had made a fire in a spot from which she could watch the doings of the dispossessed man and his partner, and was stirring up cornmeal batter in a wooden bowl that must have been cut from the same tree as her gallant husband's. She had a quarter-sack of meal, and a keg of water with a spiggot in the end.

Jake must have been pretty badly buffaloed to allow them to unload all that stuff on his lot, Noll thought. He should at least have taken a firm hand with the one-legged man and prevented him unloading the supplies. Without them the woman would have been forced to retreat in a few hours. But the trespass was accomplished; he had passed the last word to the one-legged man. In case the old fox failed to act according to orders, dodging and hiding out and avoiding a reckoning as Jake

believed he would, some other scheme would have to be enforced. One thing was certain: if they slept on their rights, leaving her there in undisturbed possession any length of time, they'd have a hard job getting her off at all.

When Jake came back from supper dusk was deepening. Noll had the tent up on his own lot, their scattered possessions assembled, and all squared off for the night. He had gone about the work of setting up the wrecked tent with a sneaking, shamed feeling. It appeared to be a public confession that he had been outwitted and intimidated into a surrender of his lawful property to a blustering, ugly woman. Yet it was not so much what the public might think of him as what he thought of himself.

The situation presented a new phase of the jumper pest. It was unlikely that a woman jumper had operated anywhere else in town. He had not heard of one, the neighbors spoke of her as a sort of vicious novelty. Perhaps a pair of able-bodied men might be excused in their hesitancy in a case offering such perplexities. The code of ethics in relation to jumpers did not seem to apply here. A man could not go gunning for a woman, even under such provocation; public sentiment would set against him, even if he only shot her in the heel.

So there she was, and there she appeared likely to stay for a while, although Howard had no intention of surrendering to her, buying her off, or

permitting Jake to make such cowardly compromise. If her conspiring spouse evaded the issue, which Howard believed probable, the more he thought of it, they'd have to establish a patrol over her, cut off all supply of water and food—especially water—and bring her to time that way.

She would have to go for water in about three days; her supply wouldn't last any longer. Then they'd chuck her things into the road and stand her off when she returned. It would not be a very dignified proceeding; without question it would supply a vast amount of public entertainment, but it seemed at that twilight hour, when the heart was low, to be the only plan.

Noll did not say anything to Jake about the scheme of last resort, seeing that he had returned from supper in a confident mood bordering on his accustomed gayety. Jake, it happened, had been doing some thinking and planning on his own account.

"Pardner, you know what I'm goin' to do with that old woman if she don't shake her shanks off of my lot by mornin'? I'm goin' to rope her and hog-tie her and throw her in a wagon and send her home. You can chin her and toll her over to the edge of the lot—if I can git in forty foot of her I've got her—and I'll slip around back and snake her in, shotgun and all in a bunch."

"That's not a bad plan, either," Noll approved, seeing that it might work excellently, not alone to the riddance of the jumper, but to her humiliation

in the public eye. It would be a piece of high comedy in the appreciation of Cimarron.

"I don't look for her to be there in the mornin'—you've put it up to that old feller to move her off, and he'll move her. But just calculatin' that he might make a sneak, or something—"

"Which I'm thinkin' he'll do. I'm glad you put your head to workin', Jake. That ropin' scheme's a good one; beats anything I could figure out."

"Only trouble is I ain't got no rope. I'll have to buy a new one, and it'll be stiff and slow, but I can grease it and saw it around one of them scantlin's and limber it up a little."

"Maybe Doc Green's got one."

"I'll bet he has! Quick as you come back from eatin' I'll make a call on him and find out."

The supper rush was over when Noll took his place at Mrs. Morrison's table, for Cimarron was a city of clockwork appetites, agricultural and mechanical. When the hour struck they must be appeased, and everybody made a rush at once. Poke Jones' cyclone campaign was nothing to the tornado of heavy feeders that swept through the cluttered streets at six o'clock.

Josie was leaning with elbows on the table, reading a paper spread under the swinging lamp. She started, flushed, folded it up and tried to whisk it away as if it might have been the *Police Gazette* or the Kansas City *Sunday Sun.*

"Hello! what's this? The new paper?" said Noll, cheerily, heartily. "I heard it was comin' out

this evening, but that lot-jumpin' old flea drove it out of my mind."

"Oh, haven't you read it, Mr. Howard?" Josie appeared disturbed, even mildly shocked. "It says the most *scandalous* things about you!"

"Why," said Noll, more amused than amazed, "what have I been doing now?"

"You'd better not read it till you eat—it might spoil your appetite. But it's all a lie, I know."

"I'm runnin' for office, you know," he told her, reaching for the paper with a grin. "You've got to expect a little dash of slander when you run for office."

Yet the *Evening Star* had laid it on somewhat heavier than Howard had expected, naturally, seeing that his past was completely unknown to anybody in Cimarron but himself. The outburst was truly amazing to the candidate for city marshal as he humped over the four-page, seven-column, rather up-and-coming brand-new paper of the brand-new town. The editor appeared to be an extraordinarily splenetic fellow, who must have been bottled up a long time and rejoiced in this opportunity to ease the pressure.

The front page was about equally divided between denunciation of the People's ticket and boosting for the Liberals, and in the matter of detraction and derogation that editor was qualified for a doctor's degree. He said a band of inflated Populists from Kansas, hungrier than any carpetbaggers that ever plagued the South, had rushed

in there with their program all cut and dried. They were sooners, almost to a man; he challenged them to disprove it in the court of public opinion; political refugees and roustabouts, promoters and grafters; he promised revelations of distinct and personal flavor in to-morrow's paper.

The editor consumed a great many words in saying that, for he was a space-eater, a man who could write as far around the purpose before getting to it as any of his Kansas contemporaries, in which field of fevered competition he had grown lean and ravenous. But he had the goods on the candidate for city marshal on the People's ticket, and he proceeded to hang them on the line. Noll Howard's big ears burned as he read:

Poke Jones is making a parade of this man Ol Howard as the valiant defender of the oppressed, after staging two or three spectacular stunts, duly arranged with other sooners of their gang. Jones is proclaiming this man Ol Howard as a famous gunman from Caldwell, where, it is said, he used to be city marshal in the lively old cow days. Cimarron was treated to an exhibition of this four-flusher to-day and given a sample of his oratory, which is just about as rotten as his claims to being a gun-fanner in the hot old days of Caldwell.

Poke Jones, Wichita grafter, blatherskite and crook, hauled this specimen of his picked deck around in a wagon showing off his valiant charms, gun and all, passing out the word that Ol Howard was a snorter from the short-grass, and a man to make Cimarron safe for babies. The facts in the case of Howard are that nobody knows who he is or what he has been, but it is

suspected that he is a sooner from Arkansas City where, it is rumored, he was seen loafing around a few days before the opening. But there are twenty old-timers from Caldwell and vicinity in this town with whom the writer has talked, who know Howard never lived in that town, never was city marshal, and never pulled his gun on a jackrabbit around there. He's a faker and a four-flusher, traveling on false pretenses and the reputation of a brave and honorable man.

The name of the man who was the famous gun-slinging marshal of Caldwell was Ol Howell. He was killed in a fight down in Texas seven or eight years ago, a little trivial insignificant detail of history that Poke Jones and the rest of the red-necked liars from Wichita have overlooked. The editor of this paper knew Ol Howell. This pretender Howard is about as much like him as a toad is like a hawk. Ol Howell was a man. His hat would cover up this fellow Howard's nut like a soup-kettle over a buffalo-chip. His coat would hang on this sooner like a gunnysack on a beanpole, and he could hide in one of Ol Howell's boots like a grayback in a thimble. Old Ol Howell's gun would sag this woods-colt till he'd walk lopsided as a three-legged dog.

Voters of Cimarron, you have seen this pernicious impostor, this vicious impersonator of a brave and honorable man, swelling around with a gun on him and his mouth so full of big talk (prompted and inspired by his owner, Poke Jones) he couldn't touch his teeth with his tongue, a ridiculous, bombastic, hay-stuffed figure from nowhere. Do you want this four-flusher for your city marshal?

There was more of it, abusive, coarse, contemptuously indifferent to any adjustment the maligned candidate might demand. The editor closed with

a comparison between the virtues of Milt Everett, Liberal candidate, and the vices of Howard. He had written either in the spirit of an honest man unafraid, or a mistaken, misinformed fool. Howard was not certain which, but he reserved a little space in the early future for finding out.

There wasn't the remnant of a grin in Howard when he finished reading and looked across at Josie, who had been placing his supper dishes down temporarily, waiting the removal of the paper to push them into position for action. He had a glum and lugubrious look about his face which seemed to elongate his naturally long nose an inch; his lower lip was pushed up stiffly, belligerently, against the upper, bending down the corners of his mouth in rather petulant, tearful expression. He lifted his hand to the right sprangle of his long, light-tipped mustache and looked hard and straight at Josie, brows bent over his light-blue eyes, an odd mingling of resentment, fighting anger and injured innocence in his countenance that presented a puzzle to the sympathetic girl.

"You don't mind what that fool paper says, do you, Mr. Howard?" she said, putting the balm of sympathy to the hurt which she saw he too plainly felt.

"Why"—tugging at the mustache, his unwavering eyes coming out from under the cloud of gathered brows, the stiff lip relaxing a bit—"yes, I do mind."

"You never claimed your name was Ol Howell—

nobody ever heard you say that was your name."

"No, nobody ever did."

"I know what you're going to do!" Josie said eagerly, rapidly, the fire of fight in her pretty freckled face. She leaned toward him, her hands on the edge of the table, coming so near he imagined he could feel the glow of her hair in his face. "You're goin' to take your gun and go after him!"

"No, no! don't you do anything of the kind, Mr. Howard!" Mrs. Morrison implored. She came over from the stove, hands out appealingly, supplication in her eyes. "I've seen so much shooting and killing, and none of it that ever brought anything but misery to anybody! Go and knock his darned head off, but don't—*don't* shoot him, Mr. Howard!"

Howard felt the stiffness going out of his face; he managed a sort of tinware grin.

"A four-flusher," he said, turning the paper, his finger on the word, "is a man that goes around blowin' what he's going to do and never does it."

He closed that phase of the incident with the words; they felt it closed so conclusively that neither of them ventured to speak of it again.

Howard finished his supper somewhat jerkily, now going at it hurriedly, now lagging, according to the impelling fervor of his resentment and the striding of his plans. He asked Josie if he might have the paper when he rose to leave. She nodded, her lips closed tightly, her face white, and swallowed hard at something, a ripple of the effort running down her pretty throat.

CHAPTER XII

EXTRA PAPER

CARPENTERS were at work by lantern-light putting a roof over the press and other machinery of the *Evening Star*. Editor Evans had got hold of an old bed-press from a Kansas City printing house at a very attractive figure, the most attractive feature about the figure, for Evans, being that it was on time, his prospects the principal security. This press, with the other mechanical necessities for issuing the paper, had been shipped in before the opening. Evans had been working night and day to get the machinery set up, knowing that time was the essence of competition in his case, there being another outfit making ready to give him a run.

The front of his hastily built, poorly braced plank structure, which Editor Evans proudly called the Star Building, had been roughly finished. Type-cases ranged around the walls, an imposing-stone, proof-press, and the general litter of a composing-room occupied the center, with the editor's desk and a small table for the one reporter in front near the door, where their journalistic labors could be duly noted and admired. Here, at his desk, Noll Howard found the editor, a halo of night-bugs around his lantern.

A man of about forty, tall and well-balanced, but

somewhat thin, like a mettlesome horse that has been degraded to the plow; an alert, eager-faced man with cold, suspicious, calculating blue eyes and clean, square, combative chin; a sharp man, and a stubborn one, very likely to start wrong and stay wrong; not a man from whom one would expect loyalty, for he was too lean and hungry, too eager, unsympathetic, cold. His nose was high and thin; he wore a well-balanced sandy mustache; his eyebrows were heavy, lending an overbearing cast to the general harshness of his face.

The editor was sweating at his labor, but he radiated importance, enthusiasm, high-mounting hope—even a certain arrogance of position, not unlike a police captain on desk duty at headquarters. When Howard entered his doorless door, Evans put down his cigarette, narrowed his eyes through the smoke of it, greeting the visitor with a quizzical, cynical smile.

"Hello, Howard," he said, evenly, unconcerned, quite unabashed by the prospect of being called to account for a slanderous publication.

"Introduction is unnecessary, I see," Howard replied.

"If there's anybody in Cimarron that don't know you by sight—" Evans stressed the word—"after that parade to-day, Howard, he's a blind man."

"Then our low purpose was accomplished, at any rate," said Howard.

He stood a little way from the editor's desk, about the distance that men could reach easily for

a handshake, a different Howard from the easy-spoken, colloquial man of the camp. He seemed as stiff and brittle, and altogether as cold, as an icicle; he was circumspect of the final *g,* he was steady. Editor Evans soon was to discover that he was inexorable.

A man and boy were sorting type; one bleary, boozy, whiskered printer was setting, making ready for to-morrow's paper. Two forms lay on the stone, picked and pitted where matter had been lifted out, the display advertisements remaining. From the apron protecting the editorial trousers and shirt-front, and the condition of the editor's fingers, Howard concluded no less notable hand than the editor's own lately had been at that task.

The press was covered with canvas against the elements and the droppings of the carpenters overhead; the engine that propelled it stood far back in the shadowy confines of the long gaunt shed, a smell of banked fire coming out of it. And the editor feeling his oats, proud of his achievement in getting out the first paper in Cimarron, proud of his press—he never had owned anything more extensive than a four-form hand-press before—squared around in his chair, elbow on his desk, and looked at the man to whom he had passed a fighting challenge in his paper with cynical humor and a derisive smile.

"Well, I suppose you've got a kick to make, Howard," said Evans, easy and untroubled for all of Howard's gun hanging against his lean hip.

"It's more than a kick, Evans; it's an explosion."

"Get it out of your system, Howard," Evans invited him indifferently.

Evans reached for his cigarette; the old printer turned his goat eye on the scene between his boss and the visitor, the other journeyman and the boy working on with no apparent interest in anything beyond their job.

"I don't know where you got this stuff, Evans, but—"

"Have you asked your manager, the more or less dishonorable Poke Jones?"

"If Jones gave it to you—and he didn't supply the villainous slander, no matter how dishonorable—you had a right to come to me and verify it before you printed it."

"I'm not around verifying campaign stories, Howard," Evans said, not so lofty as amused, "Nobody does that."

"It would pay you to, especially when you've got anything to say about me. In the first place—get your paper and pencil and note this down—I never heard of anybody named Ol Howell until I read of his noble exploits and gigantic virtues in your paper. My name is Oliver Howard; I'm not known as Ol, and never was. I never made claim to having been city marshal of Caldwell or any other town. Your charge that I'm a sooner is a vicious lie, and one that you're going to swallow publicly."

Evans put his cigarette down again, carefully

balancing it on the slug of lead weighting a stack of mussy copy. He looked up at Howard sternly.

"The readers of this paper are allowed a certain latitude in their criticism, Howard, but I draw the line at liar. You get to hell out of here before I throw you out—gun and all!"

Something hard touched Howard's back with steady, increasing pressure as Evans made this threat; the vapor of whisky was breathing on the back of his neck, and a whisky-raw voice was sounding close to his ear.

"Git to hell out o' here!" it said.

Howard had not considered the bleary old printer, faithful follower of Editor Evans' fortunes and misfortunes from county seat to county seat in the frontier counties of Kansas for fifteen years. He could not have known, certainly, anything of the close coöperation between the two journalistic departments of that enterprise in matters of defense. Now the old printer had a gun shoved against his backbone, and Editor Evans was rising from his chair with a brass column-rule in his fist, ready to split him as Old John Brown and his seven sons used to divide the skulls of pro-slavery settlers with their two-edged swords on the Pottawatomie raids.

At that trying moment in Howard's unguarded adventure the inky boy who was washing type felt called on to display his loyalty to the *Evening Star*. He grabbed a big lead slug weighing no less than a pound, cut a few fancy baseball capers and

pitched it with speed and accuracy at Howard's head. Howard obeyed the subconscious impulse to dodge, and with that unthinking maneuver upset all plans for his further discomfiture and public humiliation.

The boy's sudden interference was as unexpected by the printer who held the gun to Howard's backbone as to Howard himself. At the best the old soak was far from steady of hand, no matter how inflexible his intention. Howard's quick dodge, duck and sideways wriggle, disconcerted the old man. He fumbled, and dropped the gun as the big chunk of lead struck the planks at Howard's side. Howard gave the old fellow a jab with his elbow that was as stiff and vicious as a cow's kick, setting his foot on the gun as Evans, his deadly weapon dropped in the hope of a deadlier, sprang to recover it.

Howard assembled the two journeymen and the boy behind the editor's chair, doing it by pantomime with his gun, without a word. He held them there, his gun-arm on top of the editorial desk, which was of the roll-top type, new and untried by battle and editorial vicissitude. To anybody passing, Howard would appear a friendly visitor in conference with the editor, the three employees attentive as if the walking delegate of the union had called to organize the shop.

"Write as I dictate," Howard sternly commanded the entirely upset and frightened editor.

Evans grabbed his pencil and squared off. He

looked as if he might be ready to make complete retraction of that scornful charge of four-flushing laid to the candidate for city marshal on the People's ticket; he sweated as if twisted by some deep-seated pain, and turned a calculative eye, in which the sullen cold hatred of his floored assurance glittered like a facet of ice under the light.

"I'm willing to make you any honorable amends, Howard, but I object to being forced to it," Evans said, as a lawyer saving a futile objection in a lost case.

"This is to run in a four-column box on the first page, and you're to head it Apology to Oliver Howard," the inexorable, hard-faced man behind the gun directed.

"Go ahead," said Evans, apparently willing, but with canny reservations in his mind.

Howard went ahead, dictating the most abject crawl the editor of the *Evening Star* ever had made, and he had done some pretty tall backing in his career. When he finished it, Howard stood a little while considering the job. Then he said:

"Evans, I don't want to ruin your prospects in this town. Maybe that's a little too strong. Tone it down a little."

Evans pulled a big breath of relief, and eased off on some of the hardest words, but Howard would not allow him to take the abject confession of slander, falsehood and maliciousness out of it. And as it stood when the editing was done it was enough to blister even Evans' thick hide.

"I confess I acted hastily, Howard," Evans said, relieved, hopeful, crafty as a come-on man, "and I'm perfectly willing, even glad, to make honorable amends. This is rubbin' it in purty hard, but I'll run it as you say, first page, four-column box, in to-morrow's paper."

"Set it up," Howard directed the old printer. "I want to see a proof."

To expedite the work, Evans divided the copy between his two printers. In a few minutes the proof was spread for Howard's approval.

"All right; that will answer. But I'm letting you down too easy, Evans."

Evans considered the matter settled. There was a malicious glow in his eyes, a malicious, mocking grin on his mouth which the pretense of amiability could not mask. In the effusion of his relief he offered his hand.

Howard was turning his eyes toward the stone where the two forms lay. He ignored the proffer of editorial amnesty, not being in a trustful mood. One of the forms was the first page. Part of the type had been lifted, but Evans liked some of the stuff so well, especially that relating to Howard, he was holding it over for next day. Besides being good stuff, it would save composition.

Howard made a commanding gesture with his gun-arm, sweeping all the force toward the imposing-table.

"Lift a space right there—" indicating the place

with left hand, the gun unswervingly trained on the force in the other—"and make up this page with the box inset. I want to see it."

That was a short order, and soon done.

"You've got a good eye for makeup, Howard," Evans complimented him, how sincerely nobody but himself knew. "Newspaper man yourself, ain't you?"

"Stir up the fire in that engine, get up a head of steam to run the press. You're going to get out an extra."

Evans was thrown immediately into a fresh sweat of torture. He tried to show Howard that it was impossible to raise a head of steam under an hour, pleaded the expense it would put him to, swore nobody on the premises knew how to handle the press, telegraphed with his eyes to his employees that one of them was to make a sneak and get help, probably the soldiers, as Howard very well understood. He also knew that Evans had no more intention of printing that retraction tomorrow than he had of reforming his petty blackmailing life in any particular. Once he was out of the office that would be the end of his hope of vindication from the source that had slandered him.

He was watchful of the boy, who caught Evans' meaning and tried to make a break through a hole in the wall cut for a window; he herded the two printers along with the form and saw it bedded on the press; superintended the business of getting up steam, which was a short matter, the boiler

being still hot, considerable pressure showing in the gauge.

In his concentration on seeing the press started, and of making certain that the old whiskered printer knew perfectly well how to feed and run it down to the smallest detail, Howard relaxed his vigilance over Evans and the other two. Evans, indeed, appeared quite resigned to the program now, and willing to get the extra off as quickly as possible. He was affable and attentive to the preparations, his clean chin glistening with sweat like a pitcher of ice-water.

Somewhere along that stage of the proceedings the boy got away. Howard was not greatly concerned when he discovered the boy's absence, the vital part of his work being then accomplished. The press was running, the little stack of printed sheets was growing. Probably two hundred impressions had been made when the boy burst exultingly into the shop followed by an officer and five soldiers.

At the appearance of the soldiers Evans attempted to take possession of the pile of papers, only to be forestalled by Howard, who flung him back with a rough forearm under his chin. The press stopped and Howard, determined that these few papers should have public circulation even if no more were run off, squared around to protect the issue from military seizure.

The officer was no less important person than the lieutenant in command of the small cavalry

detachment detailed to police Cimarron. He was a brisk, brown, quick-eyed young man, and he came to the meat of the matter by a few direct questions. Howard handed him a copy of the *Star* containing the libellous story, introduced himself as the slandered party, and explained his original method of obtaining personal satisfaction and public vindication.

The lieutenant glanced at Editor Evans' vituperative masterpiece, grinned a dusty, sunburned grin and handed the paper back. He had read it, he explained. Would Howard be so kind as to allow him to see the retraction? Howard was eager to let him see it, far more eager than Editor Evans. Evans, in fact, objected so hotly, his face flamed so angrily and his cold eyes glittered with such blue electrical fury that the officer gave him a curious, questioning look that was not altogether approving.

"You asked for help," he said curtly. "How am I to judge the extent of the offense without the evidence?"

So saying, he took the paper that Howard was offering, and the sunburned grin broadened on his tough face as he read the most amazing confession of baseness, slander and malicious libel that editor ever printed above his name. When he finished reading he held the paper off at arm's length to get the effect of the heavy-type headline, grunted his undisguised approval and gave it back to Howard.

"My opinion is, Mr. Howard, that you'll make a

most efficient city marshal," he said. He turned sharply to Evans. "This is purely a civil matter, sir. Your recourse, if any, lies in the civil courts, not in military appeal."

He gave the sergeant a nod, the soldiers wheeled at a word and walked out, leaving Editor Evans in worse case than before. The officer shook hands with Howard, told him to go ahead with his worthy undertaking, wished him success in the election and followed his men, grinning to such an irrepressible extent that it developed into undignified laughter before he reached the door.

The military visit only made it easier for Howard. He had no trouble with the whiskered printer-pressman after that. He asked Evans how many papers had been circulated in the defamatory edition. Evans said two thousand. Although Howard believed he was lying he allowed it to go. At a wave of the hand the old printer pulled the lever and the press went on again, *slam, slam.*

It was not yet ten o'clock, the town was at its liveliest, the fakers along Avenue A in mighty voice, the soup man strident as a coyote on a hill, when the editor of the *Evening Star,* his two printers and his boy, enforced by a dozen or more youngsters to whom Evans paid a dollar each for the job—under the argument of Howard's gun—set out to distribute, free to all, the extra edition of the *Star.*

Evans and his chapel crew proceeded under the personal direction of the candidate for city mar-

shal on the People's ticket, the rest of the force under general orders. They handed out the one-page extra, printed on one side, only, to everybody abroad, but Editor Evans himself was reserved for the distinction of marching to the Hotel Savoy and delivering a copy each to Mrs. Morrison and her daughter; and then, with little grace and less ceremony, across the lot to where Mr. Jake Zickafoos milled around in anxiety to know what his partner was up to abroad in the city so long, and presenting a copy to him.

"I'll be home in a few minutes, Jake," Howard explained shortly as he waved Evans on ahead to dispose of his remaining papers where they would do the greatest good.

Jake's mystification was not cleared in the least by these proceedings, but he lit the lantern and took a squint at the paper that had been put into his hand. He read and reread, feeling with each perusal of the choice article as if he had taken a good jolt of forty-rod. He felt so good he could almost forgive the jumper lady, who had put out her light long since and retired to her tent. He took off his boots and aired his toes, looking up at the bright stars, which never had seemed so friendly in his eyes since he was in love with little Teresa, away down on the Rio Puerco a long, long time ago. And he lifted up his voice in song, this being what he sang:

It was a thief and a coward that shot Mr. Howard,
A-a-and laid Jesse James in his grave.

CHAPTER XIII

HORSE MEDICINE

EDITOR EVANS had turned necessity into a virtue more than once in his colubrine journalistic career. He got the crafty notion that even this public humiliation might be turned to his profit before he finished distributing the armload of papers he had started out with. He passed through the crowds which this unprecedented editorial parade under armed escort quickly drew along Avenue A, smiling like a good sport, cheerful and hearty, handing the papers out with discrimination to those who appeared most intelligent, literate and likely to enjoy them.

Evans was a handsome man, with a certain cold cynical boldness in his face, and he could put great and varying expression into his smile. He said nothing as he walked in humorous dignity which seemed to lift him high above his enforced task, only his smile plainly called the voters of Cimarron to note that he was a man who could carry a reverse like a gentleman and a scholar, and shoulder circumstances without a squeal.

Evans appeared to be amused by the situation, and scornfully superior to the plain, grave man who walked at his heels with a gun swinging against his leg. He gave out the last paper with

a hearty word of assurance that he was welcome when the recipient thanked him, and turned to Howard, laughing like a defeated champion who confessed his overthrow but still held himself superior to the one whom chance had favored.

"Well, Mr. Howard, will that be all for to-night?" he asked.

He put such humorous suavity, so much down-bending mockery, in the inquiry; he was so self-possessed, high-bred and superior, that it seemed as if authority rested in him by right, and that he had made this silly night parade only to humor an insignificant fellow whom he could, but for a generous impulse, have ignored.

"Yes, I'm through with you—for to-night," Howard replied.

Evans laughed, shortly, a dry ratchet-sounding laugh, no more mirth in it than the croak of a raincrow, turned and swaggered off, putting an excellent show of patronage on the whole business. At the same time he contrived to convey the understanding that he had a trick to play that would beat Howard's ace. He probably was not conscious of great humiliation, or capable of it, having become calloused in a long course of harassments, duns, pursuits and doggings of countless kinds.

Whatever Evans considered for to-morrow, it appeared as if he had a big task ahead of him to square public sentiment in his favor after the abject crawl of to-night. The extra paper had made a profound impression. Men stood in groups around

the gasoline torches of store fronts and street fakers discussing the event, passing copies of the paper, of which there had not been enough by several thousand to go around, from hand to hand.

While the editor's dirty fling at Howard might not have done much in the way either of lifting him out of obscurity or covering him deeper, the retraction had made him the very bull's-eye in the target of public interest. So many people stopped him to shake hands and offer delighted congratulations that Poke Jones, whom he had slated next in order for attention, had put out his lights and gone to bed before Howard made it around to his new square-fronted store.

Howard only wanted to caution Jones to keep his foot on the brake in future, and not go too much on remote similarity in names, nor allow his imagination to paint too lurid backgrounds for his candidates. But that would keep without further damage until morning; no use shaking Jones out of bed. The essential thing had been squared, as nearly as retraction in a newspaper ever offsets prior slander spread from the same source. It never quite repairs the damage; the retraction never reaches everybody whom the original poisoned. There are certain ones, also, who would rather entertain slander against a man than consider his vindication. Such corrugated souls hold a little of all the smut that blows over them. They never come quite clean.

It was nearly midnight when Howard returned

to his lot. Jake was still up, although the hotel next door was dark and all neighborhood activities were quieted for the night. Jake said he felt so jiggered up over the apology his partner had forced the editor to make that he didn't want to miss any of the joyful sensation by going to sleep.

Mrs. Morrison and Josie likewise had felt jiggered up, Jake said. He was willing to bet a quarter that Josie was lying awake in that little tent to the right of the big one, where she and her mother bunked, with her eyes wide open and her face split in a grin. Howard said he didn't see how they were to decide the bet even if he should take Jake up on it, and Jake agreed that it would be a perilous adventure to try to take a squint inside the tent where the ladies reposed. So they laughed it off, and sat down to take a smoke before turning in and calling it a day.

"You've won the big throw," said Jake, recapitulating what had happened to both of them since morning, "you've got the ball a rollin' that'll take you into office as sure as sour-krout, and I've got the blanket jerked out from under me, slick and clean."

"You've forgot that I filed on these lots to-day," Noll reminded him, "and that I've got a date with that old one-legged sooner in the morning."

"No, I don't disremember nothing," Jake protested. "I was just a-talkin' to prove if I was half the man, and half as enterprisin' as you are, pardner, you and me we'd own this town inside of three

months. I don't blame a feller with a head like you for rairin' up because old Brother Jones took you for a has-been marshal of a one-wire cow-town."

"I'm going to have a session with Jones over the careless way he slings my name around. I'd like to know how he got the idea my name's Ol."

"Ain't it? You told me it was— Oliver Howard, Ol for short."

"And you told Jones it was Ol for short?"

"Sure I did. I thought it hit 'em somewhere the way them brethren rolled the whites of their eyes at each other."

"I told you it was Noll for short, Jake."

"The hell you did!" said Jake, very much concerned. "Well, go on and shoot, pardner; I sure deserve it. I lost that blame N like I lost my lot. I'll be droppin' my dang head around somewhere about day-after-to-morrow."

"It's all right, Jake," Noll chuckled, amused at his partner's deep feeling over his part in the rather ridiculous incident. "Evans wanted to say something ugly about me, and he'd 'a' said it, even if Jones had told him my name was Jesse James."

"I ain't handin' out tips to no editor, but if I was I'd give Evans one that'd make goose-feathers sprout on him till his dang hide'd be as rough as a horse-redish gritter. If he ain't got it through his nut by now what the name of Howard means, he's a hopeless dam' fool, anyhow."

"You know, I heard for the first time to-day that Frank James made the run when Oklahoma

was opened four years ago and took up a claim?"

"I bet you never heard about it before to-day!"

"Feller from Guthrie was tellin' me. He said Frank told him they were too tough for him down in that country. He sold out and went back to Missouri."

"Well, as long as one of the fam'ly's in the Strip I guess we can spare Frank," said Jake, not that he believed in his first rash conclusion about Howard, but because the very absurdity of it gave him pleasure. While it had not sprouted in Jake's mind from the seed of a joke, it had developed into a hearty example of that species, in which Jake would find sly delight for a long time to come.

Noll allowed the pleasantry to pass without comment. He was watching a party of men, young fellows from the timbre of their voices, who had stopped in the street near the jumper woman's tent. They had passed but a moment before, stepping high, traveling uncertainly, but with hilarious indifference. Now they had stopped to take their bearings, some protesting they had passed the place for turning off, others that they hadn't come to it. They were blundering around perilously near the jumper's tent, which was pitched not more than ten feet from the street. Noll was wondering what would happen if one of them tripped over a rope or bumped into the canvas.

The same speculation was engaging Jake. He got up, looking around as if for some place to go in a hurry.

"You fellers better look out!" he said, but in a little voice, for he was communicating the thought to himself, only. "Pardner, we better duck back of that pile of shingles. If she cuts loose she'll turn her gun this way—she'll think we're tryin' to slip up on her and throw her off, sure as hell."

Jake ducked, according to his own counsel, but Noll remained in the open where he could see what was going to happen. The revellers missed entanglement with the ropes and weaved back to the road, where they began to strike matches to look for familiar objects in their surroundings. No, that wasn't the tent where they turned off; that point being settled, they went on, the sure ones exulting over the simplicity of the rest.

But Noll's interest in the incident was increased, and growing. One of the blazing matches had set fire to the grass, near the jumper's tent, which the dry heat and the trampling of many feet had turned from green to yellowish gray in the past two days.

"Say, that grass is afire!" said Jake, popping up from behind the pile of shingles.

"I'm watchin' it," Noll replied.

"Say! It's a-spreadin' towards that tent! I wish it'd burn that old lady out! Sa-a-ay! If she ever ketches afire she'll burn like coal-oil on a corncob, she's so danged soaked with grease. I'm a hopin'—"

"Darned if it don't look like it's goin' to, Jake. I wonder if she's awake?"

"I'm a-prayin' she ain't," said Jake.

The partners stood watching the creeping ring of fire, a little blaze not more than a foot high at the greatest, their interest drawing them unconsciously toward it. The blaze was lighting up the neighborhood, the little circle of fire widening lazily, moving at about the same speed in all directions, the night being windless and calm. The jumper's tent stood approximately in the middle of the lot she had stolen; it was not above twenty-five or thirty feet from where the partners stood.

"It's a-goin' to ketch her!" Jake whispered, delightedly excited at the prospect of being relieved of his jumper.

"We ought to do something—wake her, or something—it ain't right to let the old devil run the risk of gettin' her hide singed or maybe burnt alive."

"Sure let her burn! I hope she'll roast like a catapiller in its shell. It's a-ketchin' the tent—it's a-ketchin' the tent!"

Noll grabbed a piece of board, fragment of Jake's carpentry, swung it and threw it at the tent, letting out a whoop at the same time that roused the neighborhood.

"Get out of there! Your tent's afire!" he yelled.

"Oh, hell!" said Jake, fairly slumping with disgust. "Why didn't you let her burn?"

The tent was shaken suddenly by a great commotion, enlivened by the befuddled woman's yells of consternation. She came out in wild disorder, dressed as fully as she was when she jumped the

lot, the shotgun clutched in her fat hands, her hair flying, a wild, bewildered look in her face. The fire was climbing up a corner of her greasy old tent; when she saw the flame the jumper woman let out a whoop for help, pitched the gun clear and made a dash for the fire.

But she had forgotten the tent-rope which she had transferred from the stake to her own rugged leg on going to bed, to guard against the possibility of anybody taking the shelter from over her while she slept and pitching her out into the road. She fell, and she fell hard, for though she was as big as a feather-bed she was of far different substance. She landed in a tangle across the ropes of her tent, her head within a few feet of the blaze which was eating up her greasy shelter with hearty appetite.

"Cut me loose!" she yelled, kicking, rolling, scrambling, getting herself hopelessly entangled, lunging as frantically as a thrown bull. "Cu-u-ut me lo-o-o-o-se!"

"Fire! fire!" a woman yelled, sticking her head out of a tent across the street, the canvas gathered close about her neck, convention standing first before a conflagration at all times.

"Fiah! fiah!" came as an echo from Dr. DeGarmo Green's new shanty, and on the reverberation of the alarm came the doctor himself, a bucket in his hand, his nightshirt skimp and short about his hairy legs.

Noll hopped across the lot, getting his knife open as he ran, Jake tight after him protesting against

any interference in the ways of Providence. All around the illumined spot as the tent blazed high people were coming out of their tents and wagons and little raw board shanties, pulling on their trousers, slipping galluses over their shoulders, women with blankets and sheets and covers around them hovering in the background, wild-eyed and frightened by the commotion the jumper woman was making in her anguished appeals for help.

Noll cut her loose, the blaze singeing his hair as he stooped over her. He pulled her and rolled her and got her free of the ropes, and backed off out of the shriveling heat. The woman rushed at the tent as soon as she got her feet under her, and began tearing at the stakes and ropes, yelling at every breath for help, unmindful of the fact that her tent was half gone already, and going like a crackling beyond any help whatever.

In her blind effort to save the business, she got her sleeves on fire. The touch of fire on her greasy hide, the sight of it running up her arms, increased her panic. She bolted into the street, arms lifted high, screaming, running, whatever little sense that ever had graced her completely dispersed.

Howard ran after her, overtook her in three jumps and walloped her down in the dusty road the moment Dr. Green arrived with his pail. Noll was rolling her, trying to smother the fire, when he heard something whizz past his ear and felt a spray of water in his face.

Dr. Green was standing by with his horse-

syringe, capacity three quarts, pumping a medicated solution which he kept standing by at all times against a call to treat a colicky horse, and pumping with a strong arm and a willing one. It required only a few seconds for this admirable compound to overcome the fire in the woman's greasy garments, when the jumper sat up sputtering, drenched, draggled, but quite restored and fully awake.

Ignoring the fact that not a spark of fire remained in the woman's untidy apparel, Dr. Green kept pumping away. He filled the syringe and emptied it, the woman trying to protect her face with outspread hands. Behind them she was sputtering and cursing and, while Dr. Green had the instrument in the bucket charging it anew, she caught her breath and scrambled to her feet.

"Git away from me with that horse medicine!" she screamed. "Stop shootin' that horse medicine in my face, you dirty little—"

Zip! went the stream, aimed with true eye squarely at her mouth.

"It's a normal solution of salt and sody, ma'am"—zip, zip—"an incomparable antipyretic" —zip, zip, zip!—"it reduces high temperature when freely adminstered in the proper way"—zip, z-i-i-ip, sizz-ipp!—"shut your *ob*scene blabberin' thievin' mouth, you mangy old ungulate!"

She got out of range, dodged, arms over her face, and made a break to return to the lot, where her tent had collapsed and the remnant of it was send-

ing up a last spurt of flame. Jake Zickafoos had snatched the piece of board—it was a six-inch plank, about three feet long—which Noll had thrown to wake the woman, in anticipation of just such a maneuver. He was standing on the line, waiting for her, the blazing board drawn back like a batter ready for the ball.

"I never hit a woman in my life," Jake panted, his bare feet wide apart, his legs braced for a hearty wallop, "but I'll bust you as flat as a cracker if you try to come back on my lot! You git to hell out o' here!"

"While the goin' is good and the road is open," Dr. Green added to the command.

He cut loose with a fresh, strong stream of his fever-reducing compound, and the jumper woman fled down the street in the direction of the one-legged sooner's camp, the yells, jeers, laughter and loose articles to which people along the way could readily lay hand, following in her waddling trot.

"I never hit a lady in my life," Jake Zickafoos declared, wiping the streaming sweat from his eyes, "but gentle-men, I'm here to say I'd 'a' mashed her as flat as a bedbug agin the wall if she'd 'a' tried to put her leg over that line!"

CHAPTER XIV

A RED-EYED MAN

POKE JONES said it was all right; he was better pleased that Howard was not Ol Howell. He had known all the time that Ol Howell was a horse-thief and night-riding scoundrel, and it gave him unbounded pleasure to be assured, and have the public assured, that the candidate for city marshal on the People's ticket was a clean man, even if a less notorious one than the villain who had terrorized Caldwell under the cloak of an officer of the law. It took a load off his mind and conscience, Jones declared.

While he had been fully cognizant of the passing value of a notorious name on the ticket for the most essential of all offices, he was better pleased to have an honest man, a straight one who valued his reputation to the point of such valiant defense. And so on, to great and wordy length, trying to get out from under the responsibility as gracefully as he might.

It was early morning when Howard visited the People's party candidate for mayor at his furniture store, which he called The Emporium. He was determined to catch Jones before he could go abroad and scatter some new sowing of what he might consider vote-getting forage. Jones was

touching up a large chiffonier which he was to deliver that morning to Mrs. Morrison of the Hotel Savoy.

Jones explained that Mrs. Morrison had taken it as the next best substitute for a sideboard, desiring something to lend elegance to her dining-hall. She was going to use it to stand pies and cakes and such dainties on, the elegant mirror—Jones polished it with his blue handkerchief with luxurious stroke—would at once give a sense of depth and spaciousness to the room, and multiply the display spread in front of it in the eyes of hungry diners.

A far-seeing woman, Mrs. Morrison; a most desirable neighbor, with a most desirable, altogether lovely, daughter. Yes, indeed, Mrs. Jones made her appearance from the dark interior of the shop about that time, as if jealous of too much enlargement upon the charms of females apart from that household. Jones presented her. She was a high-standing woman, bony, austere, sour; with a hard intolerant look about her like a foreign missionary.

Mrs. Jones gave Howard a sort of cold approval. She said she was glad somebody in that town had the courage and manhood to compel that slandering editor to swallow his libels without grace.

"She's taking a whack at me," Jones explained, quite unnecessarily, giving Howard a slow, ponderous wink. "But I'm an old campaigner, my hide's thick. I don't squirm every time a tick bites me. A man that's as busy as I am can't turn aside to run down every campaign lie that's spread about

him. I'll have my day after election—we'll all have our day then, eh, Howard?"

"If we win," Howard said, not at all as certain of the outcome as Jones.

"Well, if we don't, what's a lie more or less?" queried the philosophic, thick-skinned Jones.

Howard said he supposed it wasn't so much when a man got used to it, but he was new to the game and a little ticklish on that particular. Mrs. Jones gave her husband a scornful look and an audible sniff. She retreated to her kitchen, whence came the aroma of coffee and a sound of hissing as if the pot had boiled over.

Jones said the campaign was booming, although he didn't believe they were going to have a walk-away, speaking for himself and the other candidates exclusive of Howard. The publicity he had made for himself in forcing Evans to issue an extra paper retracting his libelous charges would carry Howard in with a whoop. As it stood that morning, with election still two days away, Howard overbalanced the rest of the ticket like a sack of flour against a pillow. It made him a valuable man; his word was worth more in the public ear than the combined ballyhoo of all the rest.

After he made the delivery of the chiffonier to Mrs. Morrison, and got things lined up for the day in the store, Jones was going out with the band, he said, for another noise spree. Of course Howard would join them and lend his voice to the cause?

"No, I'm not going to ballyhoo any more, Jones. It would look too much like makin' an exhibition of myself to parade around with the band to-day. I'm through; I've done all I can do. If they want to elect me, all right; if not, the disappointment won't kill me. Go to it, you fellers. I've not got the nerve to go handshakin' around to-day."

"Evans will think he's bluffed you, Howard. You can't go on editing that paper with your gun indefinitely, nor even expect to put a bold stroke like that over on Evans a second time. He'll have a gang of deputy United States marshals in his office to protect him, since the soldiers refuse to interfere. I saw Milt Everett hangin' around there this morning when I went to the butcher's, gun on him like he was doing a sentry-go. He's a red-eyed man, Howard; you want to look out for Milt Everett."

"I don't expect to edit any more papers for Evans," Howard said, "but I don't suppose his skin's any more bullet-proof than mine. Well, I'll take a little splurge with you to-night, Jones, and put on my act. But let me off for to-day—I want to finish my house."

This promise cheered Jones. It wasn't such a bad idea, taking a day off to finish his house. Jones said it was evidence of Howard's permanent interest in the city, proof that he was not a floating speculator. Jones would draw public attention to the house, standing as Howard's proxy in the campaign work of the day; he would read the retrac-

tion and apology forced from the editor of the *Evening Star*. It might be a good move—it *would* be a good move—to withdraw from the public eye that day.

"And where is our candidate for city marshal?" said Jones, squaring off oratorically, his deep voice rising loud and mellow, his melancholy eyes sweeping an imaginary crowd with stern questioning, as if he knew somebody present had made away with the candidate in vile and secret violence. "Gentlemen, he is at home, laying the sills of his domicile, bracing the roof-tree of his permanent abode. If you will listen you will hear the stroke of his hammer, drum-beat in the march of progress; if you will harken, you will catch the symphony of his saw, sweetest music the hand of civilized man ever drew from a—from a—"

"Piece of Arkansaw pine," Howard completed the flight.

Jones laughed; Howard laughed, and from the back of the furniture store there sounded a sniff in disdain of such political trumpery as loud as the snort of a horse.

Howard stopped in at the office of his neighbors, the contesting lawyers, on his way home, to have the relinquishment to Jake's lot properly drawn. Messrs. Wrigley & Dye, who stood ready to contest anything for anybody, had advanced with Cimarron. They had mounted from their little tent on the wings of retainers and incidental fees like butterflies from a dingy shell, not to any great

altitudes, indeed, but it was the beginning of flight.

A queer little shanty with plank roof, and unsawed planks protruding at the corners; a most lopsided, open-jointed, crosseyed alignment of carpentry, result of the combined effort of the firm, now sheltered their few books from the weather and their own legal brains from possible dehydration under the ardent sun. The canvas sign was tacked securely above the door, just inside of which, at plank desks of their own contriving, Lawyer Wrigley waited on this hand, Lawyer Dye on that, ready to contest with spirit any claim within the bounds of the new territory to the court of last resort.

Lawyer Dye was engaged with a red-faced customer who had every appearance of being a highly contentious man, and so it fell to Lawyer Wrigley to draw up the relinquishment. He had a typewriter, of that ancient variety which printed nothing but capitals, on a box beside his chair. To this he turned, being a small earnest man with shriveled neck, clasped the box between his knees to hold it steady, and drew up the paper in due and legal form.

Jake had moved the tent to the middle of his lot. He had transferred some of his belongings to it, and lashed the jumper lady's shotgun to the ridgepole. This weapon he had confiscated as liquidated damages, and swore he would hold it against all the one-legged sooners in Cimarron, unscrupulous fat women who jumped tender-hearted gentlemen's lots, writs of replevin, and all claims whatsoever.

He drove two stakes deep into the earth, nailed his bootjack to them, and squared off to show everybody he was there to stay.

When Howard gave him the relinquishment, the valuable consideration duly acknowledged therein, Jake hung fire in spite of all his homemaking preparations. He rubbed his upended hard hair, clamped his shallow but determined-looking jaw very hard, his short even teeth meeting as precisely as the jaws of a steel-trap.

"I never give you no valuable consideration, pardner."

Jake turned up his sharp, tight-lidded blue eye as he spoke, looking very much like a perplexed, slightly bow-legged little man waiting for an answer.

"Sure you did."

"When?"

"Right along, Jake."

"It ain't right, it ain't honest, it ain't square," said Jake, looking at the paper, shaking his head in full conviction of the small part in the transaction his partner was trying to make him play. "I *can* give you a valuable consideration, pardner—I ain't like the little man that couldn't—and dang my neck if I ain't a-goin' to do it!"

Jake opened his vest—he always wore it tightly buttoned, even slept in it, at least since he had been in Cimarron—hauled out a very competent, well-fed wallet and bared an amazing collection of yellow-backed money to view.

"I'm not like the feller that can't give a valuable consideration, and I'm here to do it."

"Put that damn money up!" Howard spoke sharply; there was a belligerent look in his clear blue eyes.

Jake jumped at the words, hard and explosive in his ears like the crack of a gun. He shut up the wallet and jammed it into his pocket.

"Now, look-a here, pardner," he argued placatively, "I wouldn't 'a' had no lot if you hadn't 'a' stopped me when I was staggerin' along like a wobbly calf, winded and done up, left behind by the herd in the stampede and nowheres to go. I wouldn't 'a' had no more lot'n a rabbit if—"

"Jake"—Howard laid a hand on his shoulder and looked him hard in the eyes—"if you ever draw money on me again I'll take it the same as if you'd pulled a gun. I say I've got a valuable consideration for the lot. Put that paper in your pocket and say no more."

Jake folded the paper small, standing contemplatively, his feet wide apart; got out the wallet, stowed it among his plentiful store of high-figure currency, looked up at Howard's grinning face seriously, and put out his hand.

"Pardner," shaking hands solemnly, "there'll always be a rig ready for you, free as the air over your head, at Jake Zickafoos' livery, feed and sale stable, horses boarded by the day, week or month."

"It'll come in handy if I have to leave in a hurry some time, Jake."

"Yes, if you ever have to leave in a hurry," Jake discounted the thought.

The matter of the lot being settled without violence, Jake went on with his moving, picking up the few scattered articles belonging to him from the site of last night's camp. As he went across lots, a bright-figured, joyful shirt dragging an arm, his shaving-mug in his hand, Jake felt moved to express his feelings in song. And this was the song he sang:

N-n-n-ow Jesse was a man and a friend to the pore,
And for money he never sufferd pa-a-a-in—

Jake insisted on bearing a hand with the carpenter work on the new house, which he had begun the day before. He would keep a weather eye on his lot, although he didn't expect anybody to try any further tricks with it, and he was all set to throw hot lead around any jumper who might have the gall to attempt it, let it be lady or gent of any size, shape or color whatsomever, that being Jake's most favored and most impressive word.

They got the roof on before supper-time, and most of the siding up, plenty to shelter a man if rain didn't come on a slantways wind, Jake said. They were standing off contemplating the result of their labor when a boy came by crying the *Evening Star*. Howard sat on the door-sill of his new house to read his copy; Jake cross-legged on the ground near by to look for new slander and libel in his.

Neither of them had very far to look for what

both expected. Whether Evans had operated under guard of Milt Everett, candidate for city marshal on the Liberty party's ticket, Howard had not taken the trouble to confirm, but he thought, from the boldness of Evans' new outbreak, Poke Jones' report of that eminent individual standing sentry before the editor's door must be true.

Evans had headed his come-back "Shotgun Extra." Under that caption he related how the armed ruffian Howard had invaded the peaceful precincts of the Star office, dictated and compelled, by threat and intimidation, publication of the apology and retraction appearing in last night's extra edition of the *Star.*

While Evans did not repeat the charge that Howard was a sooner, or that he was attempting public deceit by parading himself under false colors, he slung "four-flusher" and "coward" around with the reckless confidence of a man who did not fear any future demand for accounting. The editor of the *Star,* Evans said, had acted as any prudent man would have done under the conditions, faced by an armed, blatant, blustering coward who had the drop and would not hesitate to take a coward's advantage and use it. The enforced retraction had been given public circulation and the public could take it for what it was worth, knowing the facts in the case. Evans did not go so far as to say he withdrew it, but he did all that he could to nullify it.

He drew attention to the fact that Howard had

been wordy and windy in denying that he was Ol Howell, or that he ever had given sanction to the report circulated by the more or less dishonorable Poke Jones, of Wichita, that he was the famed marshal of Caldwell. In regard to his past, where he came from, what he had done and what station in life he had filled, this swaggering bully, this gun-toting four-flusher Howard had nothing at all to say. Having blown up as a bluffer and pretender, he was now trying to gild himself with the glamour of mystery.

Every man had his reason for keeping still about his past, but no man up for public office had a right to hide it. Milton Everett, familiarly and affectionately called Milt by all who knew him, former sheriff of Ford County, Kansas, had something to say that might throw a little light on Howard's past. There followed a statement by Milt Everett, duly refined by the editorial hand, so much refined, in fact, that it all appeared cut from the same cloth.

Milt Everett said he had a distinct recollection, as sheriff of Ford County, of taking a man to the penitentiary at Leavenworth who was an exact ringer for Howard. The fellow had been convicted of highway robbery in Dodge City.

The editor printed Milt Everett's reminiscence with all the gravity of truth, in full-face type, doubly indented, and continued on his own account to say that a man under the shadow of such a grave accusation had no standing before the public

until he came forward and proved himself innocent of all suspicion. It was an affront, a public insult, for this openly accused convict to parade himself asking the suffrage of honest voters. The rest of the People's ticket was bad enough, but Howard was especially repugnant to every sense of decency. The editor had known communities where such a brazen scoundrel would have been ridden out of town on a two-by-four scantling, his carrion body decorated with a coat of tar. He had complete confidence in the manhood of Cimarron.

Howard sat staring abstractedly over the top of the paper after reading this latest denunciation levelled at his altogether inoffensive head. It was vile and scandalous; Evans had taken a shadow and worked it up into the very substance of fact. It might be difficult to prove before election day that he hadn't been in the penitentiary, with only one day standing between him and that event. Certainly there was not anybody in Cimarron who could vouch for him, and the charge was so hollow, vapid and dishonest, campaign trumpery of the lowest, that it did not merit the trouble of wiring to the warden of the Kansas prison for denial.

He did not want to take his gun and go after Evans again. One play of that kind was plenty; pushing it too far, as a regular sort of habit, would bring public reaction of the very kind Evans was playing for. He would just have to take a tannin bath and thicken his hide, like Poke Jones.

Jake was on his feet, tightening his cartridge

belt, looking around for his hat. He grabbed it up from where it had lain all afternoon, shook the sawdust out of it and fixed it so firmly on his lumpy head that it bent down the tips of his small, pointed satyr ears.

"Goin' somewhere?" Noll inquired, trying to show himself untouched and indifferent, although Evans' persistent ridicule and slander hurt him more than the treason of a friend.

"Um-m-m," said Jake.

He was glum, and white around the gills. He turned his face away, as if he would hide his intention from his partner's eye, cinched up his belt another notch, thought better of it and turned back again, his tight little eyes as bright as two embers in a wind. He was holding the newspaper in his hand, the defamatory article in the fold. He tapped the paper with the forefinger of his gun hand, fast, like a woodpecker on a sycamore limb.

"Evans is callin' on the public to step out and say something about it," he said. "One of the public's goin' to go over there to his crummy joint and tell him something, and put it in his damn ear with a gun!"

"I appreciate it, old feller, but I don't believe I'd do that."

"This is out of your hands, pardner," Jake replied, flushed and hot to the gizzard. "He puts it up to the public, and the public's goin' to blow his damn head off! I don't want you to git it that I'm one of these hombre fellers, pardner," Jake

appealed rather than explained, letting his voice down to almost natural, "for I ain't. I'm a bow-leggid little runt of a cowpuncher from the Panhandle, but I know when to step out for a friend."

"You do, Jake," Noll replied most earnestly, "but I wouldn't go and shoot him off just for that. They always lie about a man when he's up for office, you know."

"Many a good man's been in the pen!" Jake said with asperity.

"Sure they have. But the joke of it is, old feller, I never was."

"You'd be all right with me if you stepped out yisterday. No man's got a call to slam a pardner of mine the way that feller's a-slammin' you."

Jake gave his hat a pull, yanked it down over his eyes and started off on his vengeful, and undoubtedly earnest, undertaking.

Noll went after him on the jump, stopping him by a hand on his shoulder.

"Wait a minute, Jake—here comes one of the lawyers, and he looks like he's got something on his mind. Anyway, let's get his advice on the case."

It was Lawyer Wrigley, and he had a lot on his mind, being little less indignant than Jake. He said he had read the defamatory article in the *Star* and resented it not only as a lawyer but as a citizen. Besides being basely and criminally libellous, it was a plain incitement to riot.

"You can shoot a man for that, can't you?" Jake wanted to know.

"A man would be justified in going that far, even," the little lawyer replied, nodding judicially, slowly. "But a better course is to have him arrested for criminal libel and incitement of riot. He's plainly making a vicious effort to incite the public to violence against you, Howard. If you'll say the word, Howard, I'll go to the chief deputy United States marshal and take out a warrant for him."

"N-n-no," said Howard cogitatively, "I don't believe I'd do that, Judge."

"Moreover," Wrigley continued, greatly pleased at the sudden elevation among the judiciary, "this man Milt Everett is going around making the boast that he'll drive you out of town before the sun goes down."

"The hell he is?" said Jake. The news seemed to delight him; he brisked up quickly, took hold of his belt-end and tried it for another notch, but it was as tight as it would go. "You hear that, pardner?"

"So, that's what Evans had in mind, that's what he was hintin' at," said Noll.

Wrigley nodded, or bowed, rather, the gesture was so solemn and sweeping.

"We can get a warrant for Everett, too."

"I think I'd rather wait the outcome, Judge."

"Just as you think best, Howard. But this man Everett's a bad customer—I know his record. He

was deposed as sheriff for malfeasance in office, and he's a killer, the kind that kills for the morose pleasure of seeing a man drop. You want to be on your guard for that man, Howard."

Noll measured the sun with a glance. It was going down sullenly red as a pomegranate; it looked as if a man could not have slipped his hand between it and the prairie that seemed to tip up in the hazy distance to meet the horizon, like the sea. He turned to Jake and the lawyer, hand to the long horn of his mustache, that queer look of bashful, embarrassed hesitancy in his face.

"I wonder if I'd have time to eat supper before I have to start?" he said.

A little flash of some emotion, maybe admiration, perhaps satisfaction, wavered across the lawyer's worried dry face.

"No man would ever pick you as the kind to run, Howard."

"He'd be a dam' poor picker if he did!" said Jake.

"But a warrant would be the prudent way to stop this thing," Wrigley continued. "If it comes to a show-down and you have to shoot, don't shoot to cripple, Howard. Everett has laid down your defense in advance; you can go the limit. And if you need any help—of a legal nature, a legal nature—"

"Certainly, certainly," said Howard, relieving the lawyer of his hurry to correct any misunderstanding of the assistance he proffered.

"Sure—legal nature, Judge," said Jake. He was

standing by rubbing the grip of his gun as if he had an ache in his side. "Legal nature—sure thing."

"I'll be right on deck," Wrigley carried his offer to conclusion, appreciative of their ready understanding.

"I hope it'll not be necessary to draw on you for your services in this case," Howard told him gravely, "but I'm sure they'd be a comfort to any man in a hole, and of the highest order."

"I'd bank on it," said Jake.

As Wrigley hastened back to his office the partners stood looking at each other, Noll with a grin that seemed to serve no purpose whatever except to disturb the set of his features and hide his true emotion, like a flurry of wind across a pond; Jake all eager and alert, ready to jerk his gun and jump to it, and burning up for the chance. The sun was half down, the sharp line of the world's edge across its sulky red face.

"It looks to me like Milt Everett ain't a man of his word," Jake said. "You might as well go on and eat."

"Wait till the sun's down, then we'll go together for once—what do you say?"

CHAPTER XV

CIMARRON LAUGHS

EDITOR EVANS had won a reprieve from Jake's vengeance for a little while. Jake was altogether absorbed in the outlook for combat before his own door, his only concern being that there would be enough of it to go around. If Milt Everett should come alone, Howard would have the first whack at him as a matter of right. Jake was disturbed by the thought that Everett might attempt it single-handed for the glory of his name.

They waited until the sun was down, fathoms down, behind the sharp line of distant prairie that lay within the westward scene beyond Cimarron. Then Howard led the way to Mrs. Morrison's door.

"The definition of a four-flusher seems to be Milt Everett," he remarked. "His enthusiasm seems to have cooled down with the day."

"It'd be a great way to git rid of a feller that's runnin' agin you for office, though," Jake commented, bow-legging along in his cowboy hobble beside his tall partner. "Um-m-m! I smell baked hog. When I'm hungry, give me hog."

Jake's nose was a true interpreter of the menu at the Hotel Savoy. There was baked hog and apple sauce, and room at the counter-table for the partners to sit and refresh themselves on its de-

lights directly inside the open door. Josie, full of bounce and grins, was racing between stove and table, glowing with the prosperity that had come to her deserving door in such flood that enlargement to the establishment was already being planned.

Mrs. Morrison came over between cuts to congratulate Jake on getting rid of his jumper, and laugh about the incident, which she said she had been too heavy-headed with sleep to know anything about until the best part of it was over.

"I saw her runnin' down the street and heard the tin cans rattlin' after her, but I'd 'a' given a nickel to seen that little horse-doctor out in his nightshirt squirtin' her with that big syringe."

"It sure was some show, ma'am," Noll assured her solemnly, "worth travelin' miles to see. I've been kind of worried about the old catamount, though, wonderin' if she was burnt very much."

"Not a blister more than she deserved," said Jake unforgivingly.

"No, not a blister more," Mrs. Morrison upheld him, with the hard judgment of her kind for an erring sister. "You've got to fight the devil with fire, so they say. It was a bright thought you had, Jake, when you set that grass afire."

"Me?" said Jake, astonished. "You're givin' me credit for more brains than I ever had. I never thought of it. Some fellers passin' by lightin' their *se*-gars or something dropped the match that rousted her."

"Roasted her, you mean," a man along the table

a little way spoke up, leaning forward to make the correction, bringing himself into view beyond the intervening guests. "That's no way to treat a woman, jumper or no jumper."

"If you've got any objections to make, put 'em in writin'," Jake retorted.

He threw his hind leg over the bench and got up, ready for action, but Noll restrained him while his hand was going to his gun.

The man who had spoken for the chivalry of Cimarron was rather besotted in appearance, his face marked by whisky blotches of congested veins. He was an older man than Jake, yet not more than forty, thick-haired, short-necked, stocky; with the avid, scooping mouth of a drunkard.

"I'll put it in writing, all right," he replied to Jake's challenge, and he did not appear greatly disturbed over the imminent prospect of facing a gun.

"Sit down, Jake—let him alone," said Noll.

"Any man that 'sinuates I set that grass afire is a liar!" Jake proclaimed.

"I don't pack a gun," the stranger said contemptuously. "Any man that does has got about a foot missin' out of his backbone. I can take care of myself in any company without a gun."

He rose, threw down fifty cents beside his plate, glared sullenly at Jake, who was half standing, one leg on each side of the bench, and started for the door.

"I'll take it off," Jake proposed, beginning to un-

buckle with hearty hand. "I'll meet you outside and measure len'ths with you! I'll climb your frame—"

Noll laid hold of Jake and slammed him down, straddle of the bench as he was, where he sat biting so hard on nothing they could hear the click of his teeth. Mrs. Morrison interposed.

"Go on out of here," waving the stranger toward the door. "Don't stand around here insultin' my friends."

The customer did not resent this invitation to take himself off, for it was evident in the change of his countenance that he did not relish Jake's hearty preparations to meet him without any advantage over him in the matter of armament. When he hit the door he cut a streak for the street, and disappeared with astonishing celerity.

"Dang a man for buttin' in on my supper that way!" Jake muttered, turning again to his baked hog.

The man nearest Jake laughed.

"He seems to be in a hurry to get it down in writin'," he said. "Do you know who he is?"

"I don't know him from a rabbit," Jake replied.

"He's Frank Stark, reporter on the *Star.*"

"He fits his job to a T," Jake said.

"Is that who he is?" Mrs. Morrison inquired of her customer, a mild-mannered large man who looked like drugs and sundries.

"Yes, I used to know him in Wichita. He's a disreputable old soak, can't get a job on any decent

paper, couldn't hold it if he had it. But he can write just about as onery as he looks."

"If he puts any of his scandalous lies about me or my place in that paper this town won't hold him!" Mrs. Morrison declared.

Jake growled about being stopped in his charitable work of doing away with a public nuisance, and Noll replied that it would have been ungenerous, if not ungentlemanly, to kick up a row in Mrs. Morrison's place. A man must have a stronger reason than Jake's to pull out his gun and go mussing things around in a friend's house. Jake declared he was as reasonable as he was unreasonable, and he could see a hole in a shirt as quick as any man when it was p'inted out to him. He wouldn't muddy up the water in Mrs. Morrison's water-hole for nearly anything, but he did resent 'sinuations and tree-toad looks in a man.

Of course, said Noll. But go ahead and eat. So Jake buckled down to it again, soon restored to his appreciation of the baked hog and tart sauce, and the other good things which Josie brought them as especially favored guests, and almost men of the family.

They were scraping their plates, Josie sitting on an upended box across the table chinning them in the good old railroad way, the supper rush being over. It was beginning to grow dusky in the house, although it was still bright outside, the time between sunset and dark being long in that land. Mrs. Morrison suggested that Josie light the lamp,

and Josie said yes in a minute ma, and went on chinning Jake, with a good many bright bursts of sudden laughter and a lovely flush of prosperity and contentment in her cheeks.

All of this was going on, comfortably and happily, when Josie's bright color drained out of her face suddenly as if she had been struck by a mortal agony. Her eyes enlarged, her lips stood parted for the words which she seemed unable to utter.

At the same moment Noll Howard, looking into the mirror of the new chiffonier which stood directly behind Josie, a noble spread of pies on its golden-oak top, started and stiffened as the face of the mirror became suddenly peopled by a converging of many men before the door. Josie's back was in the mirror, and the face of Jake Zickafoos as plain as a tintype, and around them, in the perspective of the doorway, this sudden development of strange faces as if they had been brought out in the glass by a breath.

Jake was staring at Josie, trying to account for her sudden consternation, unconscious of the change in the mirror. Noll touched his arm, lifting a finger in quick, cautious gesture toward the glass.

"Cripes!" said Jake. "He's got all the voters in the Liberal party with him!"

"Look out! he's got a gun!" Josie warned, finding her tongue and her legs at the same instant. She jumped up, knocking the box over with a noise

that seemed a crash in the strained quiet of the moment.

Mrs. Morrison was sitting on a box, also, in the fairway of the back door for the refreshment of the cool evening breeze after her day's work. She turned, caught the significance of the business about to enter her house, snatched the butcher-knife from the pan where the remnant of roast pork was being kept hot on the back of the stove, and started for the door, where she came face to face not with Frank Stark reporter for the *Star,* as she had expected, but a stranger with a naked gun in his hand.

Noll and Jake had all but dismissed the chance of Milt Everett appearing in any attempt to carry out his threat, or put it down to a false rumor that had reached Lawyer Wrigley's ears. They were filled to the gills with the good things Josie had set before them; even Jake's belligerent soul was soothed to a condition of slothful ease. But the sight of that man holding a gun trained on their kidneys as they sat back to him on the bench made them jump and begin to sweat. They had been lured by good eating away from the duty of vigilance, and now it looked as if Milt Everett had them where he wanted them.

"Leave them guns where they're at—put 'em up and keep 'em up!"

They put them up at Milt Everett's command, and kept them up, like discreet men who had been in a tight corner before. Josie, crouching as if to

duck under the table, hand over her mouth to hold back a scream, eyes big in her white face, watched the stranger fearfully as he took away their guns.

"Turn around and stand up!" said the man with the gun, not loudly nor blusteringly, but in voice low and hard, something inexorable, driving, relentless to the very extremity, in the sound.

Noll and Jake, hands lifted high, swung their legs over the bench, faced their captor, and stood. Howard looked at the fellow, who could be nobody but Milt Everett, he knew, although he never had beheld that notable person before.

Everett was a tall man, almost incredibly thin, with a long neck which he thrust forward in a craning, inquiring, suspicious way like a rooster at a barn door. His face was sharp, his countenance meager and morose, his shaggy red mustache heavy and long, with sullen droop to it that curtained his mouth.

He appeared to be nearer fifty than forty, and seemed a man who had known prosperity and fat days at some remote period of his career, for he still carried the pouch of what had been a double chin, a beer chin, nothing more than tough bristly skin now, drawn in two flaps with a rough hollow down the middle from the point of his altogether too trifling chin. He was a type of the old-time saloon-dancehall proprietor, of the kind born without conscience or pity, incapable of generosity or remorse.

"What do you mean comin' here holdin' up my guests?" Mrs. Morrison demanded, the knife out of sight under her apron in true railroad strategy.

Everett ignored her, not even giving her a glance. He stood there craning his long neck and goggling, his eyes fixed on Howard, gun held in a limber-wristed way, ready to flip a shot at the first move.

"What have they done? Are you an officer?" Mrs. Morrison inquired, turning a look at Howard as if she had begun to harbor some suspicion and doubt.

Everett made a motion with his head toward the door, the captured guns in his left hand, well practiced in the policy of ignoring women, let them rail or implore. Noll and Jake moved slowly toward the open door, edging off a little, almost imperceptibly, each with his own thoughts and plenty of them, each with his own plans and calculations, widely divergent as they might be, but both watching, watching, straining and waiting, for the first little break in Everett's guard, the first little wavering of his wrist, the first fleet withdrawal of his eyes.

In the door, thought Noll; that would be the place for a quick feint, a rush, a blow. Milt Everett was a serious man, an experienced man and, as Jones had described him, he was a red-eyed man.

In that manner they moved toward the door, from which they had not been distant more than six feet at the beginning, slowly, with provocative

purpose in their deliberation as well understood between them as if they had planned it all in advance. Everett turned with them as they circled toward the door; turned without thought of the little white, sharp-faced woman with brilliant dark eyes, who stood so near him the elbow of his gun-arm almost touched her as he pivoted on the ball of his foot, all set and keen to throw lead, give him only half an excuse.

As he turned, slowly, elbow almost touching her, Mrs. Morrison flashed the long knife from under her apron, made a pass like a fencer and pinned Milt Everett's gun-arm to his side with a true thrust through the muscle, the point of her weapon grating against his rib.

The assault was so unexpected, the pain of the thrust so startling, disconcerting and acute, that Milt Everett gave a yelp that split the roof. Noll Howard's fist caught him in the mouth before the yell reached its crescendo, and the captured guns, as well as Everett's, rattled to the floor around him as he fell.

Jake darted like a lizard into the tangle of long legs and thrashing arms, and came out of it with the guns. Two of these he retained, facing the open door, elbows close to his ribs, making quick little half-turns like a revolving turret, covering the crowd outside.

"Keep your seats, gentlemen—keep your seats!" said Jake, spraying them with a threat of his guns, one of them Milt Everett's own.

Mrs. Morrison picked up the knife, holding it out from her for, dry as he looked, Milt Everett had carried enough blood to smear the point of it when it drove through the stringy biceps of his experienced gun-arm. Billy Morrison, who had been busy attending to his team after a day of draying, came tearing in at the back door to see what the racket was about; Josie came around the long table to look at the upset gunman where he sat jarred and jangled on the floor, Noll holding him by a twisted handful of shirt collar at the back of his bony neck. Outside the front door the friends of this enterprising candidate, who would have eliminated opposition by the unethical but effective procedure of driving the other aspirant to office out of town, were shifting around and backing off uneasily before Jake's guns.

"He's leakin' all over the floor!" said Billy Morrison, properly resentful as became the man of the house. "Drag him out, mister."

Old Milt was leaking rather profusely from the stab in his wing. A little pool of his essential fluid was forming on the floor beside him, dripping from his fingers, and streaking in two little rivulets from the corners of his mouth, due to the tooth-starting slam Howard had given him. Milt was holding his wounded arm, trying to shut off the drain, making no effort to get up, looking pretty well frightened and very much concerned.

Mrs. Morrison was standing by, holding the knife away from her dress, in what perhaps appeared a

threatening posture to the humiliated politician. The knife looked long enough to go through him twice. He put his hand inside his shirt, making a startled exploration, bringing it away colored by a dye which he had drawn in vast quantities from the bodies of other men, but which he could not behold coming from his own without a shudder and a groan.

"Take me to a doctor!" he appealed, looking up at Howard from the depths of unheroic consternation, his face blanched by the terror of his anticipated end.

Howard upended him and propelled him toward the door, greatly concerned over the old bully's condition. Everett was dripping like a tapped maple; his shirt was soppy with blood, how much of it coming from the wound in his side Howard did not know. He did not want the old runt to die, not out of any compassion for him, but because it might turn a certain amount of public feeling against Mrs. Morrison.

Jake went ahead of them, sweeping a way with his threatening guns. Everett had announced his humorous exploit, as he had anticipated it would be, with swagger and jest. His most intimate friends and supporters had accompanied him; hundreds of disinterested voters, keen for diversion, had come pelting along behind, a little cautious until they were assured no bullets were going to go humming promiscuously around. Now other

droves were kicking up the dust, pouring in from all directions, promising a gathering of spectators such as had not been assembled for any single event since the founding of Cimarron itself.

Jake inquired, but not very loudly nor eagerly, if there was a doctor in the crowd. There did not appear to be. Noll said he'd take the old snake over to his place. He asked Billy Morrison to run ahead and call Dr. Green. Jake moved in state ahead of them, making a broad lane in the crowd with his guns, looking altogether more grim than jubilant, for the humorous side of Milt Everett's entertainment had not appealed to him.

"A horse-doctor's too good a doctor for any old rangamatang like him," Jake growled, marching on ahead a few feet, swinging his guns in that revolving turret movement which made the most effective broom ever seen in operation by any tent-wife who looked on and admired from her place in a wagon on the edge of the crowd.

Dr. DeGarmo Green was at home, being a circumspect man who left his neighbors' troubles to themselves. He was outside his house looking on from a distance, chuckling to himself at sight of his two neighbors having emerged from this enterprise with the upper hand. He went in after his instrument case and Billy Morrison darted back to see the show.

Noll steered the spiritless Everett to a nail-keg and sat him down. Everett was nerveless and

limber. He was breathing short, and sweating as if the agony of dissolution had laid hold of him. He looked up at Howard, rolling his eyes.

"I'm a dead man!" he declared. "She stuck me in the livers!"

Jake was greatly concerned to hear this, and to see the pallor of the man. He looked around the several acres of people, as he estimated them roughly, to satisfy himself that he might take his guns off them for a little while. There did not appear to be any disposition of great friendship or sympathy for Everett as far as he could see. People were talking in hushed voices to each other, the news having gone around quickly that Milt Everett had met disaster and was coming to his end. They tiptoed and strained to see, shoving and crowding forward from the rear, but they kept a wide space around the three central figures clear.

Everybody was intent on seeing what was coming next, but nobody seemed disposed to start anything of his own since Everett's high scheme had come to such uncomfortable failure. The one busy man in the crowd was Stark, of the *Star*. Whether he was getting news or trying to start something, Jake did not know.

"You look like you're about all in, feller," Jake said anxiously. He prodded Everett with his gun to see how much life there was in him.

Not a great deal, it seemed. Everett looked sick and miserable, and he was as pale as if the last drop of blood had wasted from his wounds.

"I feel like it, pardner," Everett replied in solemn despair.

"Yes," Jake agreed, "you're goin' to pass away. I've seen the signs in many a man's face, and I read 'em in yours. It's a purty solemn piece of business to pass out of this world leavin' a lie standin' again a man's reputation that may blacken him all his life. Don't you feel like you've got something to say before you go?"

"I'll say anything you ask me to say, if you'll make it short," Everett replied. "My livers is afire. You'll have to cut it short."

"Sure," Jake agreed with grim briskness. "Where's that reportin' animal that reports on the *Star?* Shove him through there—" sighting him at his insidious activities among the crowd—"kick him out here to me, some of you men."

It seemed an automatic motion of expulsion by which the crowd forced the unwilling reporter to the front. Jake reached in after him when he struck the shallows at the edge and tried to claw himself back to deep water, hauling him into the clearing, which was narrowing momentarily around them since Jake had put up one of his guns.

"Pardner?" Jake prodded Everett again with his gun, with little effect on his drooping, listless posture, the other hand nailing Reporter Stark to the spot.

"Let the old cuss alone, Jake," Noll remonstrated gently, genuinely concerned over the probability

of the knife having penetrated Everett's vitals. "Can't you see he's about all in?"

"Yes, and I'm a tender-hearted man by rights, pardner," Jake replied severely, "but I didn't see no signs of this feller goin' easy on me and you when he had the drop on us a little while ago. Never mind feelin' over him right now, Doc,"—to Dr. Green, who had been obliged to fight his way through the crowd to get there, and arrived in a sweat after much delay—"he's got to have a little session with me before you take him over, for better or worse. You can have him in a minute."

Dr. Green was looking at his subject sharply, with little favor in his wise and worldly eyes. He put his case down, never removing his eyes from Everett for a second as he stooped and straightened.

"All right, Mr. Zickafoos; go ahead," the horse-doctor said.

"I want you to git this, every dam' word of it," Jake instructed the reporter, whom he released to give elbow room for the task.

Stark was not a valiant man, and not even an insolent one when the power of the press seemed a thing so impotent and far-away as now. He got out a mussy fold of newsprint paper and a pencil, ready to put down what was coming.

Jake put the back of his hand under Everett's chin and sharply lifted his dejected head.

"Did you ever see this man, Oliver Howard, be-

fore you saw him on the streets of this town of Cimarron?" Jake demanded.

"I'll give it to you straight, pardner; I never did," Everett replied.

"Did you ever take this man, Oliver Howard, to the pen at Leavenworth, or any other pen?"

"I never took him to no pen nowheres," Milt replied faintly. "Oh, Doc! Can't you stop this blood?"

"Say it louder," Jake prompted, prodding Everett with the gun.

"I never took him to no pen nowheres. Damn it! Can't you leave me alone?"

"All right, Doc; you can have him," Jake said, turning the patient over indifferently as he would have thrown away an empty bottle.

Dr. Green came into activity then. He unscrewed the metal top from a pint bottle of red liquor, filled it and held the charge of revivifying spirits under Everett's nose. A whiff of it seemed to revive him like a breeze from Elysium. Dr. Green emptied the little jigger of whisky into the channel where rivers of it had gone before; it gave old Milt a grip on the slipping strand of life as if somebody had put sand on the rope. Dr. Green screwed the top back on the bottle, looked at Jake Zickafoos and winked. And Jake, being an understanding man, kept the confidence to himself.

"Now, you damn old grubbin'-worm," Jake addressed the reporter for the *Star*, "the rooster over-

looked you when he was scratchin' in the manure-pile the day you was hatched, but I'm not goin' to overlook you if you leave one word of this feller's speech out of your paper to-morrow. That'll be all for to-day; you're excused."

Dr. Green had laid Everett's wounds bare with Howard's help, cutting off his outer blue woolen shirt with large mussel-shell buttons, laying open with scissors the violently red under-garment with sleeve down to his bony wrist. There was a wound, something more than skin deep, to be sure, in the corded biceps of Milt Everett's arm, which was almost as hard as dried beef; and a little knife-point puncture that good old horse-size rib had stopped from going on into the organ which Milt spoke of as his livers.

There was nothing at all in any of his hurts to give a man that gone expression of misery; not a thing that a proper man would not have walked off with and borne without a crimp. Doc Green put a piece of sticking-plaster over the little cut in Milt's side, and some criss-cross strips of it on his arm. Then he said "five dollars" as naturally as any well-regulated little horse-doctor with a turn for appreciating the ludicrous could have said the words, and Milt Everett somehow got the good news into his bony old head that he was not going to die.

It didn't seem to please Milt very well; he appeared to think he had been imposed upon, somehow, and played a shabby trick. He glared around,

his red under-garment little more inflamed than his face, realizing that he had got both legs shot out from under him and could only go a lame gait in Cimarron from that hour forward.

"They drugged me in that damn joint!" he said.

Somebody laughed. The word went through the crowd of what Everett had said to account for his overthrow and belief that dissolution was on him, and the noise of growing laughter came back from the tents across the street.

"I'll burn 'em up!" Milt said, glaring around savagely. "Give me my gun—I'll burn 'em up!"

"Five dollars," said Dr. Green, with inflexible persistence.

Milt got the money out and paid him, and stood on his long legs considering putting on his shirt. The big crowd—there must have been three acres of people by that time, Jake estimated—was becoming boisterously mirthful, considering the true account of Milt's wounds, which had circulated, and his ante mortem statement, which had been passed along solemnly as it came from his mouth at the prompting of Jake Zickafoos.

The state of Milt's outer shirt, as he held it up now and thought of putting it on, sent another gust of merriment through the crowd like a wind running over a field of grain. It would have been equal to piecing out a puzzle to assemble that garment again. Milt surveyed the mutilation, holding the shirt before his eyes at arms' length. Then he

rolled it in a compact wad and tucked it under his sound arm.

"Give me my gun and I'll burn 'em up!" he said, turning to Jake.

Jake looked a question at his partner through the deepening twilight. Noll nodded.

"Let him have it," he said.

Jake handed the weapon to Everett, not at all troubled over the chance of his turning it against them at once, for he had broken it while the doctor worked over Everett and now returned it to him empty.

Everett started toward the crowd, which was already thinning and dispersing, his naked gun in his hand, his wounds forgotten in the hurt of his humiliation and degraded pride. Nobody quickened a step to get out of his way, nobody trembled at his approach, but laughter ran ahead of him as he stalked on, his white skin gleaming in the dusk through the slit in his red undershirt.

CHAPTER XVI

A MAN'S PAST

"THAT settled him," Jake said with satisfied finality. "He won't git nine votes."

"I thought the old cuss was hurt worse than that," Noll ruminated, feeling and looking pretty well sold.

"No, I had my eye on that knife; I knew it didn't hit his gizzard any more than it did mine. He's one of these fellers that can stand the sight of anybody's blood but his own. I've seen plenty of 'em in my time. Lot of these gun-slingin' hombres—" Jake always pronounced the *h* in that word with contemptuous defiance of the entire Spanish Academy—"that used to keep a couple of men busy buryin' 'em 'd faint and fall back in it if somebody give 'em a bloody snoot. This old flannel-neck he's one of that kind: mean with a gun—and you can take my word for it he *is* mean with a gun, pardner—but no good without it. You could 'a' knocked him over with a feather when he put his hand in his shirt and saw that blood."

"Still, I don't know but old Milt's a better qualified man for the job of city marshal than I am," Noll reflected, looking off through the dusk in the direction Everett had gone.

The gray shallows of twilight were merging with

the deep waters of night; three lots away people appeared indistinct, mistily enlarged. The crowd had dispersed completely, the partners were alone in front of Howard's half-sided house, even Billy Morrison having been called home to help in a rush of business that had filled the table, chance customers lured in by the sweet savor of baked hog. Milt Everett's show had turned out profitably to everybody but himself.

"No, he's one of the old-style fellers left over from the gun-blazin' days of Dodge and Hunnewell and towns like them. No place for a man like him to go since them old cow-towns cooled off and died out. Milt wouldn't know how to handle a new modern town like Cimarron, where nothing worse than a lit-up granger or carpenter ever's goin' to git loose on the streets. Well, I don't know what there *is* goin' to be for a city marshal to do here, tame town like this."

"Jones thinks there's liable to be trouble enough. He picked me because he thought I was Ol Howell, and I don't know just what his feelin's must have been when I put him straight. He couldn't very well dump me then, he'd talked me up so strong already, so he acted pleased and made the best of it. Got away with it pretty smooth, for a man with a beard like that."

"I don't know how good a man Ol Howell was," Jake said, "but I'd bet money you could give him cards and spades and beat him at his own game any day. I was in Caldwell more than once with

herds from Texas when it was wide-open and woolly, and I'm here to say any man that cut his eye-teeth in that town ain't got nothin' to learn."

Noll had settled himself comfortably in his door, and was loading his pipe; Jake was sitting on the ground, back against the house, legs stretched to take the kinks out of them, dribbling smoke through his short nose. Noll regarded him in silence a little while as if debating something in his mind, operations with the pipe suspended. Then he struck a match, chuckling a little between puffs, the rising and falling light revealing a glint of humor in his eyes that Jake did not turn his head to see. Noll put out the match before dropping it, remembering the grass fire that had burned the jumper woman's tent.

"Jake, I never was in Caldwell until a few months ago," he said. "I guess it was because I told Jones I used to range around there that he got me tangled up with the other man. Yes, I had a job on the railroad up at Caldwell this summer. I quit it to make the run."

"Plenty of good men's had to take a railroadin' job for want of something better," Jake said, but not vehemently as he had contended for good men who might have had the misfortune to serve a little term in the pen.

Noll glanced at him again in a pause that might have been deliberative or hesitant, as if he considered the wisdom of saying more. If Jake could have seen his features closely through the gloom,

he would have read there an expression of secret enjoyment such as plays over a man's face when he is withholding a joke.

"Before that"—still watching Jake, pipestem withdrawn from between his lips—"I was out in Wyoming herdin' sheep."

Jake started, leaned forward as if to jump and run.

"The hell you was!" he said.

Noll nodded, grunting an affirmative around his pipestem, now firmly set in his jaw. Jake stared at him, rising slowly to his knees, as if to penetrate the deception or get a line on the joke. He must have seen something in Noll's face that told him it was simple truth, for he began to look around with concern that was very close to consternation.

"Don't let it git out on you, pardner!" he appealed, with the strained anxiety of a man who realized that the case had gone beyond mere caution.

"I hesitated to tell you about it, old feller, knowin' the way you cowmen feel toward a man that runs sheep. But there are plenty of decent men in the business, both herders and sheepmen. I've met a lot of them."

Jake was not disposed to argue that, his great concern lying another way.

"Don't let it git out on you!" he repeated, his voice low, intensely earnest. "It'd ruin your chance in the 'lection if it ever got out on you."

"No, it wouldn't make a bit of difference, Jake.

They don't think of sheepmen in this country the way you Texas and western cowmen feel about them. Even the cowmen that used to graze this range, and the range up in Kansas, never had any feelin' against sheepmen. They didn't know anything about them, never had to compete with them like you fellers. Anyhow, the majority of voters in this town are farmers. I expect I'd stand a better chance with them of bein' elected on the reputation of sheepman than gunman."

"But if it ever gits out on you after you're elected you'll be ruined. Nobody's goin' to turn any handsprings gittin' out of a sheepman marshal's way."

"They wouldn't in a Texas or Wyoming cowtown. Here it's different, I tell you, Jake."

Jake got up, took a little turn this way and that, circling a bit, coming back, feeling easier when he made certain nobody was lurking around listening.

"You don't look like a sheepman, and you don't act like one," Jake said, hope creeping through his perplexity, as if he began to see some palliation in the offense, probably inexperience or youthful folly. "You was just takin' a whirl at it for vacation, or to git money to go somewheres on, wasn't you, pardner?"

"No; it was a regular job. I worked at it two years, a little over two. I was aimin' to start out for myself in time, but—well, I gave it up."

"Sure you give it up," said Jake, picking up the lead eagerly, intent on the absolution of his friend from the taint of sheep. "You wasn't cut out for a

sheepman. You was green; somebody humbugged you into it. I know them sheepmen—I know 'em right."

"They didn't humbug me into it, but they certainly humbugged me out," Noll confessed, almost as serious now as the little cowpuncher from the Panhandle who had been given such a jolt by the intimate revelation.

"If you can prove you was green, and they humbugged you into it and then skinned you—if that's what you mean, and I'll bet money that's it, knowin' sheepmen as well as I know 'em—if you can prove that, nobody can hold it agin you, pardner."

"I was runnin' a little band for a man up around Casper on shares—no pay, just my grub and half the increase."

"And when you come to figger it up, there wasn't no increase," Jake said. "I know 'em."

"Well, it wasn't exactly that way, but it amounted to the same thing."

"Sure it did. Tell me about sheepmen! I *know* 'em."

"It looked pretty good till war broke out up there between the sheepmen and cattlemen—you've heard about it; goin' on yet."

"Yes. Cowman from up there in *Wyo*ming wanted to hire me to go to that range and help clean them sheepmen and nesters out. He offered me five dollars a day and five dollars a head for every sheepman and nester—he called 'em rustlers,

said every damn one of 'em *was* a rustler—I nailed. Well, I didn't take the job. I figgered s'pose I cracked off some innercent fool feller that'd been humbugged into herdin' a band of sheep. That's the way I figgered. And s'pose I'd 'a' went to that range and took a shot at some feller, and that feller'd 'a' turned out to be you? Funny how we miss gittin' mixed up in things sometimes, ain't it?"

"Darned funny," Noll agreed soberly, thinking how it might very well have turned out that way.

"How'd that sheepman work it on you?"

"Why, the cattlemen hired a lot of Texas gunmen, from the Big Bend, most of them, on the same terms they offered you. I was runnin' my band on disputed range, and I got into it that way. You know, Jake, the cowmen up in that country have got a playful habit of burnin' a sheepman or herder in his wagon if they can slip up on him while he's asleep and throw coal-oil over it. A good many of them have gone that way."

"I'd draw the line there—right there I'd draw the line," Jake protested.

"Of course you would. Even the cowboys up there wouldn't go that far—that's why the cowmen brought in that gang of handy thieves and smugglers from the Big Bend. We-e-ll, a bunch of them tried it on me one night."

"The-e-e hell!" said Jake.

"I wasn't sleepin' in the wagon, wasn't sleepin' much at all, anywhere, those nights, so I was kind

of braced and all set. Anyhow, while I was fannin' part of them away from the wagon the rest went down among the sheep and clubbed about a hundred of them to death. After the—the—"

"Inquest," Jake prompted, encouragingly, as knowingly as if he had been right there.

"Yes, and all the incidentals of that kind—"

"How many did you git?"

Jake made the inquiry eagerly. He had come up close to the door where his partner sat smoking, and he was breathing quickly, as if he had just come through a brush with sheep-killing cowmen on the far Wyoming range.

"They—that is, most of them—all but two—got away. And then that sheepman—"

Jake was offering his hand in what might have been belated congratulation.

"Oh, well! If you was *that* kind of a sheepman!" he said.

They shook hands as if they had settled a long enmity. It was plain by the change in Jake's voice, the lack of constraint in his manner, that Noll had won back to his regard and stood as high, or higher, than he had been rated before.

"And that sheepman charged you up with the ammunition you used that night," Jake said, with as much certainty as if he had seen the bill.

"Well, he didn't check it up against me," Noll replied, with his dry little chuckle, "but when we counted the sheep that were left he said it was my share that had been killed."

"Sure he did. That's sheepman figgerin'. Did you throw a shot through his old splay foot and cut off his ears, or did you let him live on?"

"I didn't have anything in writing with him to prove my arrangement about shares, so I—I—collected two hundred dollars off of him and left that country."

"You done purty good to git that much," Jake allowed. "Lucky it turned out that way, or you might 'a' been a sheepman, and you're too decent a man to go that way."

"Oh, I don't know, Jake," Noll laughed; "I've met some mighty decent sheepmen. A lot of the cattlemen up there are going in for sheep now, altogether. They cost less to handle, and the profit is bigger. Some of them are runnin' both cattle and sheep on the same range."

"Yes, I've heard of them half-and-half cowmen," Jake said. "And I've also seen pictures of fellers that was half man and half horse, and I'm here to say it's a damn pore combination."

"It's all in the way a man's been raised, I suppose," said Noll.

"Yes, and I'd 'a' swore on my oats and inflammation, as the feller said, that you was born in a sod house and raised in cow-camps, and took your first standin'-up meal off of the tail of a chuck-wagon."

"It was a log house, Jake, down in the Kaw valley. No, I never followed the range, except for that time in Wyoming. I ran away from a farm and went to railroadin' when I was just a kid.

Railroadin' is about all I know. I used to be boss of an extra gang up on the Santa Fé main-line. I had an old tarrier workin' for me that Mrs. Morrison and Josie know well."

"The-e-e hell you did!" said Jake, very much interested, indeed. "Well, if you can handle a gang of railroaders you can handle anything you'll ever meet loose in this man's town."

"I'm hopin', Jake."

"By Henry! I never paid for my supper!" said Jake, jumping as if his conscience were as sharp as a thorn.

"I was just thinkin' about it. I didn't either. I guess the rush has thinned out now so we can go back and express our appreciation to Mrs. Morrison for that jab she gave old Milt. Where would we have been by now, Jake, me especially, if she hadn't been a quick-thinkin' lady with a craw full of sand?"

"I expect we'd 'a' been settin' around here gabbin' about the same as right now," Jake replied confidently. "I saw a good deal of figgerin' goin' on in the edge of your eye, and I was grindin' off a little myself. I aimed to climb that feller's frame before he got out of that door."

"Yes, and I saw Josie with the peppersauce bottle in her hand, all set to give him a dash of it in the eyes," Noll added.

"*She* was? Yes, and she'd 'a' let him have it, sure as red blankets. The more I see of that kid

the more I like her, and I ain't a feller that falls for women right along, neither."

A burst of sound—it would almost pass for music, distance muting the most painful discords—rose from the direction of the People's party headquarters, and Jake began to prance to the time of the measure like a circus horse, his spirits were so light and gay.

"Them boys is gittin' good," he approved. "Old Brother Jones is trainin' 'em so they can carry a tune most every time."

"They're warmin' up for the big show to-night, and I promised Jones I'd step out with him. I don't know, though; I don't feel much like paradin' around to-night."

"You better go on and show the rest of 'em Milt didn't chase you out of town," Jake counseled.

"I think nearly every voter in town was here, Jake."

"Some out on the edges don't know about it. Do you suppose old Milt he'll keep on runnin' for office?"

"I expect he will. The *Star* will come out to-morrow with some explanation of it to his glory, and slam me in a new place."

"I'm waitin' to see that paper to-morrow," Jake said portentously.

"You'll come in for your share; don't fret. I wonder what kind of a past Evans is goin' to fix up for you?"

"He can say I stole the chicken off of a dead Chinaman's grave and go on livin', but if he says I'm a sooner I'll slap his jaw. Well, le's go over and pay Josie, and thank her ma for something more than any supper that ever was dished up before any man."

"Something that money can't pay for," said Noll, warmly supporting his partner's generous confession of obligation to Mrs. Morrison and her long bright butcher-knife.

"No money that ever was made," said Jake.

CHAPTER XVII

SADDLED WITH A JOKE

THAT great pillar of morality, the editor of the *Star,* grabbed Milt Everett's unfortunate fiasco and turned it at once to his own advantage. It was the pivot on which he swung from the support of one party to the acclaim of the other. He denounced Everett and deplored the public spectacle he had made of himself and the ridicule he had brought upon his party, although it had been the active little mind of Editor Evans that fired Milt's alcoholic imagination to the glory of the undertaking.

Evans was a passionate denouncer and a most capable deplorer. He could out-deplore any editor of his size and consequence west of Kansas City, and he could turn on his heel from one party to another with all the grace and facility of a drill-sergeant. He even spoke in praise of Howard, using up half a column in deploring and expiating on his account. Misled by party sycophants and self-serving scoundrels, the editor had greatly wronged Mr. Howard, for which he now made amends man to man. And so on, laying it on in his most effusive style.

It was amusing to Howard, but not assuring, coming as it did the day before election. Poke

Jones was deeply concerned by this unexpected shift in the *Star*. He did not want Evans' favor nor friendship, although he was of the opinion that the *Star* was not important enough yet for its support to do a party much damage. It would cost them votes, he said, for it would look to the public as if some consideration, such as the city printing, had been offered Evans for his support.

That was what Evans was playing for, said Jones, wise in his knowledge of that variety of the editorial species. It was a line-up, but a lame one, and Evans would find himself so far away from the plum tree that he wouldn't even catch a wormy windfall in his hat.

Howard was out with the rest of the exhibits on the Jones ticket, making a noisy finish of the campaign. It was not a very effective curtain to the swift comedy, for there was unmistakable indifference on the part of the audience. The town had got its ears full of politics, and turned to beer. A big brewing company from a northern city had opened a distributing branch in Cimarron and shipped in several cars of ice. Every tent and board shack saloon had plenty of cold beverage, the price was within the reach of all, and everybody was reaching.

Besides this liquid cause for indifference to political oratory, there was an undercurrent of subtle humor running in a stream as broad as the Arkansas, a sort of public joke that everybody seemed to be in on—everybody but Poke Jones and his sweat-

ing candidates. It seemed as if the entire population had joined a sort of humorous Ku Klux, from which only the candidates for office were barred. Howard tried to get a line on the subtle thing; Jones attempted to run it down.

But this indefinable stirring of secret understanding, this wink-passing, and grin-tipping evidence of widespread enjoyment of something carried on like an illicit traffic, seen so readily from the candidates' perch in the campaign wagon, appeared to dissolve and disappear with baffling mystery when an inquiring uninitiate approached. The voting population of the town had its joke about something, but it was like the iridescence of oil on water—one changed his position to look at it, and it was no longer there.

The election returns explained this deep-running vein of humor in the voters of Cimarron. Poke Jones was elected mayor; those who stood with him for aldermen and the incidental offices went over safely, with the one exception of city marshal. For that office Milt Everett ran like a scared wolf. He left Howard so far behind that he scarcely knew he was in the race. The electors of Cimarron felt indebted to Milt for giving them the biggest and longest laugh they ever had enjoyed in their lives, and they had elected him to perpetuate the joke.

Howard felt the mortification of defeat; Jake felt it, and they were keenly sensible of it behind the counter at the Hotel Savoy. Jake blamed the

editor of the *Star* for it. If he hadn't flopped to Howard's support at the last hour all would have gone along as expected. Howard knew this view was erroneous, much as he would have liked to believe it himself.

"No, it was a sort of secret public conspiracy that did the trick, Jake," Noll explained. "I felt them laughin' all over town last night. I didn't know what the joke was, I couldn't get an edge on it, but I know now. They thought it would be one roaring joke to elect Milt."

"The joke's on this town," said Jake solemnly.

"Maybe not. I thought all along Milt would make a better marshal than I'd ever begin to be."

"I know you said so, but seein's believin'. These funny guys that voted for him they're goin' to wake up some morning wiser than they was when they went to roost. Between Milt Everett and Deacon Jones a honest man's goin' to be like half of a lemon in one of them wooden squeezers the bartenders use. I ain't no lemon, and I object to bein' squoze. I think I'll sell out my lot and travel on away from this town while the goin's good."

"Oh, I don't believe I'd consider that, Jake. I was just thinkin' of openin' a feed and fuel business next door to your livery barn."

"*You* was?" Jake turned his head like a chicken, with his sharp way of looking up on a slant, eyeing his partner keenly. "Well then, what do you say we make a pot of it, and go in halvers on everything?"

"That sounds good to me, Jake. It's more my size than paradin' around with a brass star on my vest, anyhow."

They shook hands on it, eliminating all details, contracts and indentures in that direct way. Jake was so delighted that he rubbed his upended hair until it crackled like a cat's.

"I'd liked to of seen you elected," he said, "but I like it a long shot more the way it's turned out. Marshalin' around in a town full of booze and grafters most always makes a man so dang shif'less he never *is* good for nothin' more than goin' in for barberin' or some light job like that when he's through. I've seen a good many of 'em in my time that took to oyster parlors."

"Well, I'm out of danger now, anyhow. I guess we'd better put the feed and fuel part of the business on this lot, don't you think? It wouldn't be very neighborly to keep the horses next door to the hotel."

"It wouldn't be decent!" Jake declared in his vehemently honest way.

That afternoon, about the time Mayor Jones was calling his counselors together for their first meeting, the lumber for this newest enterprise on Avenue A began to arrive at the partners' lots. Howard hung up whatever sting of humiliation he felt over his defeat along with his coat in his little shanty of resin-scented southern pine, lighter for the thought that responsibility for the peace and

dignity of Cimarron rested in other hands than his own.

The city council held its first meeting in the back of Poke Jones' store as soon as the votes were counted and the result of the election was made sure, the first work on hand being the devising of a set of laws and ordinances for the conduct of the city. This was largely a formal proceeding, as Jones and his three good friends, in certain anticipation of victory at the polls, had the matter pretty thoroughly arranged.

The three aldermen had come from three different Kansas towns, all of them equally moral and progressive, but certainly not one of them more moral or progressive than the city of Wichita, whence the honorable mayor came. Each man had selected sections from his home-town laws which he favored most, or considered most applicable in the instance of Cimarron, so they had only to cut out duplications of legislative masterpieces, paste the result together, duly numbered, to have everything just about complete.

Of course there remained a little original legislating to be done in the matter of fixing salaries. Jones and the aldermen were to serve without reward save honor, according to a preëlection guaranty, and most of the other offices were pretty well rolled together to spare expenses. The mayor and council found themselves with a city marshal on their hands whom they had not contracted for

and did not welcome with any particular confidence, but he had to be provided for in the way of salary. This they fixed at fifty dollars a month, considering it ample, even generous remuneration for Milt Everett. As a balsam to his dignity, and to compensate for any slight he might feel in the particular of salary, they changed the title of the recipient from city marshal to chief of police.

As there must be a city hall to house the working members of the city staff, with some sort of jail or calaboose attached to confine evildoers, and funds to defray all expenses, the aldermen and mayor turned, as aldermen and mayors always did turn in the times of red liquor and pale, to the most prolific source of supply. They fixed a tax of five hundred dollars a year, payable quarterly in advance, on every retailer of liquor under their jurisdiction; provided for merchants' licenses, the fee very light, and felt that they had made a very likely beginning.

There being at least thirty saloons in town, the outlook for immediate cash was promising. So the city council ordered the printing for thirty consecutive days in a newspaper of general circulation, the new ordinances of this brand-new city, but that newspaper of general circulation did not chance to be the *Star*.

Another daily was about to begin publication in Cimarron, a better equipped and more promising venture than the *Star*. It was to be called the

Herald, and it had a news franchise, which the *Star* had not, and a rotary press, and money behind it, more essentials in which the *Star* was lame.

At that time there must have been very close to ten thousand people in Cimarron. They had been arriving steadily since the opening day, the town having been given wide fame as a present seat of commerce and industry, with a future that promised to make it the most important city in all the newly opened lands. Laborers and mechanics came flocking there, that being a slack time in the industrial centers of the middle-west; merchants small and large shipped goods there, turning their attention on arrival to the first essential, which they had left to the last—that of location. The result was a lively season of trading in real estate. Many a penniless holder of property on Avenue A realized the five thousand dollars of his dreams; a few corners sold for twice that sum.

So all was merry in Cimarron when Mayor Jones and the others elected with him went into office. There was work for everybody, and plenty of money to spend. Building was progressing rapidly, although it was of a slight and loose-jointed kind, with the stamp of impermanence on it all, even something displaying a reservation of caution, a lack of complete confidence, on the builders' part.

It seemed as though they could not believe that it would endure, this city laid down on hitherto uninhabited prairie in a single day—even the half

of a single day—or ever assume the solidity of permanence and settle down into the steady ways of commerce. More like a fair it seemed, with much trash and trumpery, and loud proclamation by sign and shout.

The population of Cimarron was largely adult, largely male. It was a liquor-consuming population, the daily dosage averaging high, as always in places where men assemble on a rush after something, and trample around and kick up a dust. The general run of men in Cimarron were of the wordy type, with no very deep-lying purpose, no heavy-bearing cares. Largely young and middle-aged men who were footloose, taking a venture in the new land to see if there might be something made easily and quickly, not half of them with any thought of settling down in that country and making homes.

They were not the kind who labor ploddingly and take their drinks morosely out of bottles in their tents, but hearty fellows who did a mighty day's work for rather slim pay, and ran about in pairs and groups, getting a great deal of high life out of trudging around from saloon to saloon and taking on something with loud laughter and friendly bantering. It took a lot of their patronage to fatten a saloon keeper, for they were not the wild spenders the old-time cowhands were. They approached games of chance with as much caution as curiosity, scarcely ever going more than a dollar at a throw.

Rather a plodding herd of men, it would appear to the grafters who surveyed them with calculative eye, needing something to stir them, titillate them, quicken them into the recklessness of spending. And to Milt Everett, the city's new peace officer, it looked like a docile herd. He had looked them over, he had felt them out; there was nothing in this assemblage of stiff-fingered toiling men to move any sort of feeling in him but contempt.

They had seen him returning in humiliation to his tent, overthrown by the jab of a woman's knife; they had seen him in his red undershirt, the right sleeve cut out of it, a big slash ripped in the side, with sticking-plaster on his ribs and blood on his skin. They had witnessed this abasement and they had looked on him as a fallen man, with ribald laughter and the high-brayed note of mockery. Now they had elected him because they thought he was an uncouth braggart, a simpleton who would carry ludicrous airs into office, serving them as a sort of publicly appointed clown.

All this Milt Everett thought in his own splenetic, morose and vengeful way as he came from Mayor Jones' temporary office fully invested with the power and dignity of chief of police of the city of Cimarron at fifty dollars a month. Milt was carrying his right arm in a sling, its muscles being sore and stiff, and painful to every move. His narrow-brimmed, tall-crowned hat was pulled down in front as far as it would go without impeding his vision, and he looked as sour as a loser who

carried a vengefully unsatisfied account against all mankind. If he had a thought in him that his day to laugh had come, there was not a glimmer of it in his sharp visage, his hat-shaded glowering eyes.

Everett went straight to the railroad telegraph office, where he filed three telegrams to three men: one in Arkansas City, one in Kiowa, one in Dodge City. That done, he started out on a systematic, if not altogether ceremonial, visitation of all the saloons in town.

Milt was well enough known to the saloonkeepers, having done most of his campaigning among them. They greeted him with congratulatory effusions, and stood out the private stock on the end of the bar. And there, over the choice spirits—which probably came from the same doctored barrel as the rest that went over the bar, and would have found no greater favor with Milt Everett's palate if it had been twenty years in the wood—the new chief of police went into close conference on matters affecting the retailing of liquors in Cimarron. He imparted the news of excise provisions in the new city ordinances, yet unknown to the public; he spoke of the lean salary of fifty dollars a month allotted to him, inviting expressions of opinion on such a belittling insult offered to a man of his wide fame, which were freely and feelingly made.

The chief of police was wearing his gun under his left hand that day, although he was not espe-

cially clever at a left-handed draw. He was not a two-gun man, always having found one sufficient to his needs up to the hour Mrs. Morrison tickled his ribs with her long knife. That was something so new in his experience he hadn't got it entirely straightened out yet in his little one-chamber mind.

He had no police badge in his collection, although he had a dignified shield with CITY MARSHAL engraved on it, which he had worn in a Kansas cow-town during his reign as peace officer there. Since his elevation in title, if not emoluments, he felt this badge beneath his consequence, although he had polished it before election until it sparkled like Excalibur.

Although he did not hold his present office in such high account as certain of his past dignities, he fished out from the souvenirs of his sanguinary past the little brass star which had adorned his bosom as a Kansas sheriff, rubbed it up on his boot and attached it to the pocket flap of his new gray woolen shirt. The little star had knobs on its points, as if to symbolize the sharp barbs of justice tempered by mercy—or other means not strange to its wearer. It was scratched and corroded, but it was a testimonial of experience and looked as if it had been designed and cut to adorn the very spot that it graced.

So, wearing the gun in that rather awkward and wholly unaccustomed place, and the sheriff's badge over the spot that had grown calloused from its friction long ago, Milt Everett completed his round

of the saloons in state, winding up at the door of the brewery agent's office as steady on his legs as if he had not taken one little jigger out of any liquor retailer's private stock that day. For Milt was that kind of a man; a dry man, a copper-bottomed man, a marvel of a man for carrying liquor. No matter for the quantity he absorbed, no change came over him, for Milt Everett was not like other men.

With most men whisky acts as a solvent for the outer shell. The counterfeit, the mask, behind which they walk in regulated society dissolves away from them at certain stages of their potations, leaving them mercilessly exposed in their reality. It is a common saying that a man is not himself when he is drunk on the Septembral juice or any of the allied products, whereas the cruel fact is that he is entirely himself. Base, savage, merciless; or foolish, blubbering, roaring, sentimental slobbering creature that it may reveal him, alcohol is the magic fluid that brings out the writing on the soul of a man. The conventional figure in which he parades under the constraint of sobriety vanishes; the true animal, in all his weakness and folly, stands forth in his natural skin.

In that respect, at least, Milt Everett was an honest man. Whisky made no change in him. He was mean and cynical, vulgar, treacherous and base when sober; he was neither better nor worse for drink.

There in the brewery agent's office. which was

the most luxurious spot in Cimarron, Milt Everett sat down to hold conference on a matter that was to be the climax of his afternoon's endeavors. The agent, a small dark man with sleek black hair, had more business on hand than a short-order cook, but at the first three words from Milt Everett's mouth he was all attention; within five minutes he was leaning across his shining flat-topped desk as eagerly as a banker about to make a loan at a big bonus and usurious rate.

Anton Purviance, this brewery agent; once proprietor of a notorious theater-saloon on Walnut Street, Kansas City. Jesse and Frank James, Missouri's first citizens in their day, had been honored guests in his house of doubtful entertainment; knockout potions had been administered to many a stockman from the southwestern ranges in the hospitable booths frequented by the chair-warmers from his chorus. Now Tony Purviance had come in for a reformation, due to change in the police administration of his city, and he had come to Cimarron to push trade in the beer that had made another community famous. An infamous man handling a famous brew: Tony Purviance, known by name and ill fame to many people in Cimarron that day.

There was a rug on the floor of his plain board office, and oleographs of beer ladies on his walls, buxom ladies bearing barley and hops in their arms, in rustic state of abandon and innocent disarray. Beer had made them beautiful, as it had

made them bold; it would do as much for all who swigged it freely. So the beholder surmised as he gazed on the joyous prints.

And there in the presence of art and opulence shaggy old Milt Everett, with his shrunken, guttered beer chin, the seal of evil days in his red eyes, sat talking business with Tony Purviance. Outside there was laughter among the voters of Cimarron who had seen the new chief of police walking abroad with his sheriff's badge pinned on his shirt, quite unconscious of the fact that they had saddled themselves with the grimmest joke that enfranchised folly ever conceived.

CHAPTER XVIII

A WIDE OPEN TOWN

POKE JONES was not a crook, in spite of externals, which might appear to those who did not know him well, the habiliments of deceit and fraud. He wore a long black coat because he believed it dignified, and whiskers because he was certain they added to his manly grace. He was a politician with a sort of evangelical zeal, no more dishonest in his way than the gospel peddler is dishonest in his methods of coming to his end. Jones was not in politics for what was to be got out of it; merely because he liked it, the excitement, the hurrah, the publicity, the personal pleasure in contact with many men.

In Kansas Jones had aspired to the United States Senate, but the legislators chose a man with a longer beard, the only difference in qualifications between the two that anybody on the outside ever was able to discover. Jones had just as much wind in his bellows, and just as many words under his tongue that sounded well and meant little as applied, as any man who ever stood for public honors in the state where John Brown set the fashion for whiskers long ago.

Jones had meant to do Cimarron a service in taking it out of military regulation and direct

Federal supervision. He had believed it to the best interests of all concerned to get the town going along as quickly as possible under self-government, giving it scope for enlargement and improvement which it hardly could have enjoyed otherwise. It was with bitterness, then, and sorrowful disappointment, to say nothing of humiliation and shame, that Mayor Jones saw these high aims for the new city aborted within three days after election, in the assumption of complete and oppressive authority by the chief of police whom the electors of Cimarron had picked for a clown.

It was on the morning of the third day after election, the day the new daily paper, the *Herald*, began publication of the city ordinances, that Milt Everett took over the affairs of administration and told the other city officials in plain and profane language where they stood. They might pass all the damn laws they wanted to, he said, but he was the supreme executive power and he would enforce just as many of them as suited his fancy and the convenience and profit of his friends. Milt was fortified in this arrogant assumption of authority by the presence of three able gunmen whom he had summoned from the short-grass region of Kansas to bear a hand.

Only one of these men was of Everett's era, the other two being a great deal younger, although they had lived fast to make up for their late beginning. The older ones were no more proficient in the homicidal art. Everett appointed them dep-

uties and decorated them with stars. He had made due arrangement for rewarding their services before their arrival, being a forehanded, if not very farseeing, man.

His method for raising revenue to take care of his friends and repair his own disappointment in the particular of salary was simple and direct. He levied a tax of his own on the saloons, a uniform schedule of twenty-five dollars a month. As he pointed out, this was considerably under the excise rate provided by city ordinance. As the enforcement of that ordinance would depend solely upon him, they could take their choice between the two levies. It was not difficult for the saloon men of Cimarron to see the beauty of this design, most of them having been joint-keepers in the frontier towns of Kansas, where immunity from the law always was to be had at a cheaper price than meeting the cost in open court.

Milt immediately made his first month's collections, thus providing himself with the sinews of defiance. When the city treasurer went out to exchange retail licenses for cash, he was met with indifference and scorn. And there was Milt Everett with three shooting men beside him, standing ready not to uphold the law but to defy it. The big joke had whirled around and bitten Cimarron in the leg.

There was a great amount of public indignation, arising from business men who had invested capital in lots and hasty buildings and stocks of goods in

the belief that they were becoming part of a progressive, well ordered community. They felt that they had been betrayed into the hands of a pack of grafters, of whom Poke Jones was the chief. The loudest voice among the protestants was the *Herald,* the owners of it having made an outlay of far more money than is generally supposed necessary to start a newspaper. The *Herald* assailed Mayor Jones and the city council; it demanded that these ruffians who had taken possession of the city be ousted and the public safety guaranteed.

To which Mayor Jones replied with more heat than diplomacy that the chief of police was the public's choice, not his; that the office was elective, not appointive, and there was no way for the public to get rid of the chief of police except for those who had elected him to give him a ticket out of town and see that he traveled on it. To which Milt Everett replied through the *Star* that he was elected for two years and intended to stay two years. After that they could have the town to do with as it suited them best.

Milt went on to say, in the *Star,* which had flopped over to his support with its accustomed grace, that everybody knew before voting for him that his sentiments were for a wide-open town. Well, they had a wide-open town, and they were going to have a wider-open one. The bars were down to all comers. If anybody believed they could force him to change his policies or compel him to retire, let them step up. He was wild and woolly

and full of fleas, and he never had met a man or a bunch of men able to curry him below the knees.

So the argument continued, back and forth, a few days, the public business at a complete standstill, nobody getting any results but Milt Everett. He swaggered around with his three men, his right arm still in a sling, drinking a good deal, but enforcing strict decorum outside his own personal behavior.

There was no place prepared to lodge prisoners, and no money coming in to rent or build a calaboose, so Milt set up a little private institution on his own lot, which he said he would rent to the city for fifty dollars a month until it got around to building a regular jail. He spread the news abroad that he had a long-established aversion to prisoners, even in his own private jail, and that his policy would be, as it always had been, to avoid encumbering himself in that particular. There usually were a good many more funerals than prisoners where he was on duty with his gun.

The respectable citizens appealed to the Federal authorities. The representatives of the United States marshal, in charge of that section, who had resented from the first this haste on the part of Cimarron to get out from under their direct authority, replied that it was their town; go ahead and run it. They did not see any infraction of the Federal statutes that called for interference, although, certainly, they did not look very closely into Milt Everett's oppressive dealings.

The *Star* had made another agile shift for which it was becoming notable, as has been said. It lined up with the progressive spirit of the times, as it called Everett's proclamation for a wide-open town. The chief of police was to be applauded for his contempt of oppressive and discriminatory ordinances passed by a city council of grandmothers. Let the bright lights twinkle, let the merry corks pop. Come on with the dance, and the whirr of the wheel. There was no better way to let the world know that Cimarron was on the map than to take down the bars for a revival of the good old days of Dodge.

There were many people in Cimarron who shared the editor's view—curious people, adventurous ones, young ones, foolish ones, who never had been through the mill. These welcomed a touch of high life such as had made the cow-towns of southwestern Kansas notorious throughout the nation in their brief, high-flaring day. Wide-open times meant easy money in ways of which no questions were asked. The town could live it down, as Wichita and Dodge City were living down their scarlet past, when the time for respectability came.

Go to it, Everett! Throw it wide open and call in the haymakers from afar, these irresponsible people said. The more lures they spread for the curious rabbits, the more rabbits would flock there to be trapped. It would be a happy hunting-ground for everybody. The world was full of rab-

bits that had grown fat since the lights went out at Dodge.

Gamblers and various human parasites began to pour into Cimarron; sure-thing men heard the good news in Kansas City, picked up their kits and hurried off to the big killing down in the Strip. But they arrived to find that Cimarron was not wide-open to everybody. They learned very quickly that Tony Purviance was on the ground ahead of them, and held all the valuable concessions in his experienced hand.

There was being pushed to completion on Avenue A a large building designed for a hotel, at least this was the future announced for it before election. It was a building of considerably more substantial nature than the general run in Cimarron, made of ship-lap lumber, lathed and plastered on the interior, two storeys in height, with a spacious and impressive lobby. It had something of the look of permanence about it, although the roof was of that depressing, tarry black paper composition usually used on poultry houses. It had many windows and doors, with outside stairs to facilitate escape in the very probable event of fire.

It was now announced through the *Star* that Tony Purviance had taken this building over, where he would open in a few days the largest, most elaborate and luxurious place of entertainment and refreshment the west had ever seen. There would be a fifty-foot bar, and there would be music, games and dancing. Mr. Purviance, it

was understood, had secured the exclusive concession from the city authorities, and proposed to make Cimarron the Monte Carlo of the west.

All this time Jake Zickafoos and Noll Howard were going ahead with their building, their big hollow livery barn so nearly completed that Jake was planning to leave in a few days for Kansas City to buy horses and vehicles. Milt Everett had not molested them, although he passed many times daily with the man whom he had chosen as his gun-arm, the veteran of the imported trio from the short-grass regions.

Milt was going around now with his arm free of the sling, although he still wore the support swinging around his neck—a large white silk handkerchief that he had collected as tribute from a cringing, smirkingly placative old Jew who could ill afford to buy peace at even the lowest price. If Milt harbored any enmity against the partners for their public humiliation of him, he did not show it, a remarkable circumstance which they could not understand and scarcely credited, considering Milt's triumphant ascendancy over them.

The partners went about their work unarmed, having hung up their guns in the hope, if not the belief, that they should have no further use for them in Cimarron. While they talked of little else, as everybody else in Cimarron talked, but the tyrannical assumption of power by Everett and his gang of gun-slingers, of the public intimidation and complete suppression of all legal authority,

they could not see any farther into future events than their neighbors.

The way out must come, inevitably, but no man in Cimarron was wise enough to tell when or how. It was well agreed between the partners in the livery barn that they would stand clear of it. They were not going to force matters by disputing Everett's authority unless it came to bear with oppression and insolence on them. As long as he and his men didn't tread on their feet they might run the town as they would.

But there was at least one man in town who did not compose himself to wait the event in patience and forbearance. Mayor Poke Jones chafed under the insulting usurpation. The shadows around his mournful eyes grew deeper, the sense of his humiliation bowed him down. He went about his business in gloomy silence; when he went abroad he walked with bent head like a holy man under a penance, his black hat pulled down to deepen the gloom of his shamed and worried face.

Jones was seen on the streets a great deal during those days of suspense and waiting, going here and there, from this business house to that, passing Everett and his men without word or sign, ignored and contemned by them. And in spite of his earnest efforts to convince the public otherwise, and raise up courage among them to the point of ousting the oppressor in office, there were many who believed him in league with Everett, even the brains of, and the chief conspirator in, the plot.

On one of these rounds, a day or two before the date Jake had set for his trip to Kansas City, Mayor Jones stopped at the new barn. It was late in the afternoon; the partners were laying flooring in the little corner compartment designed as office for their combined business of livery, feed and fuel. Jones entered with a constrained manner of dodging watchfulness, as if to escape somebody spying on his movements. He sat on a nail-keg in one corner, where he would not be seen from the window overlooking the street, took off his solemn hat, wiped his forehead and sighed prodigiously.

"Somebody after you, Parson?" Jake inquired, neither very respectful nor sympathetic, having notions of his own on how a mayor should conduct himself in such public exigency.

"My caution is not prompted so much by a desire to cover my movements as to protect my friends," he replied. "That scaly reptile Everett has taken to dogging my footsteps, warning people to keep clear of any scheme of mine to depose him. He's going around throwing his bluff into everybody that hasn't endorsed his high-handed usurpation and lined up with him in the open."

"The hell he is?" said Howard, quickened with rebellious resentment at hearing this.

"I didn't want him coming around to you boys on my account," Jones explained, nodding in confirmation of his previous statement.

Jake got up from his knees and nailing of floor-

ing, went to a corner of the room where a number of long, broad boards were standing on end, selected one, laid it carefully aside.

"That's just about his fit," Jake said, measuring it with calculative eye. "If he comes around here tryin' to throw any bluff somebody's goin' to carry him out on it."

Jones shook his head in negation of such program, as well as expression of its fatuity. Howard regarded him with incredulity almost amounting to amazement, he was a man so suddenly and completely changed. In spite of his outward severity Jones, in the days before election, had been a man of cheerful disposition and certain lumbering humor. Now he seemed chastened, spiritless, broken and completely downcast.

"I think you're lettin' it get too deep under your hide, old feller," Howard told him.

"The hard part of it is the unjust attitude of people who condemn me for this state of affairs," Jones said. "They elected the damned villain, and now they hold me responsible for his actions!"

"Sure they elected him," Jake said, rather comfortably, as if he had the thought that the town was getting only what it had coming to it on account of its folly. "We didn't vote for him, and that's a cinch. Let 'em take their guns in their fists and burn the tail off of him—damn old loco wolf!"

"I've tried to rouse some manly courage and support," Jones said wearily, "but it's no use. They knock me behind my back and through the

Herald, but there's not a man among them, not even in the *Herald* office, that's willing to buckle on his gun and go out with me and help clean up that gang of outlaws. They're afraid of the three scoundrels Everett's got on his staff, and they're doubly afraid of Everett. He was a joke on election day, but he's a holy terror to them now."

"Does anybody know who the three guys are?" Jake inquired.

"The oldest of the gang, the one that parades around with Everett all the time, is Boone McDanield, a red-necked murderer from Arkansas City. I haven't run across anybody that knows the other two."

"So, Boone he's a bad hombre, is he?"

"He's one of the old-style killing marshals; served around in one cow-town and another all the way from Abilene to these little jerkwater towns at the ends of branch railroads down here on the line. They tell me he's killed several men—some say eight or nine, some say more. I've heard of him for years, but I never saw him before he came here."

"He looks like he deserved the reputation," Howard said thoughtfully, "but I believe the two younger men are worse customers than Everett and his old side-pardner. If that old cuss don't watch out they're going to turn the trick on him."

"In what way, Howard?" Jones inquired, but apathetically, as if he had exhausted all the possibilities of villainy in his own speculations and

did not believe any unforeseen complications remained.

"I think they'll pull off something of their own before they've been here long. They'll not be satisfied with the split Everett's givin' them."

"They'll go after the bank, or something," Jake said, nodding grimly. "But if we could think up some plan to git 'em shootin' amongst themselves before they got around to pullin' off something like robbin' the bank it'd be fine business. You might throw out a bone, Parson, and see if you can't start something."

"Little hope they'll ever turn to shooting each other," Jones said, shaking his head, his long beard wagging, "as long as Everett can collect from eight hundred to a thousand dollars a month as he's doing now, to split among them. No telling what his split is on that Purviance joint, but it won't be a little."

"Aimin' to open the big show to-night, ain't they?" Jake asked.

"Yes, they're all set for the opening to-night. Purviance has brought in a dozen or more painted Jezebels and a gang of dealers, bartenders, limber-wristed gunmen from Kansas City to stand lookout over his gambling tables, and a band of fiddlers. And we've got an ordinance prohibiting gambling, as well as other unholy traffic that perverted scoundrel plans to make a fortune out of here. We might as well have written that ordinance on a sandbar in the Arkansas River!"

"Well, somebody may plug old Milt one of these days," Jake said cheerfully, hopefully. "When that happens, what next?"

"We've passed an ordinance—" Mayor Jones grinned under his beard at mention of their impotent lawmaking, the outrunners of it wrinkling the hollows of his gaunt eyes—"making the office of chief of police appointive instead of elective. In that happy event the mayor would appoint somebody to fill the vacancy—a hope vain beyond my fondest dream."

"Oh, I don't know; somebody's goin' to clean him up before long. That kind can't run things in a town like Cimarron the way they used to the cow-towns up in Kansas. They only had a few people to bluff in them little places; here they've got a million."

"The population will shrink, every decent man of family will want to sell out and leave if this thing goes on," Jones said. "Business never grows and thrives in a town thrown open without restrictions to vice and crime. Cimarron will be nothing more than a camp of transients within six months from now if Everett holds the reins. They're not fighters here, Howard. I've tried to raise a posse to depose Everett, but nobody wants to risk his life for what he's got at stake here."

"Everybody thinks about it the way Jake and I do, I guess," Howard told him. "As long as they don't interfere with us directly we're inclined to let them have all the rope they want."

"No, you don't owe the public anything, Howard, after they turned you down for that rascal. I've felt that way about it; that's why I haven't asked you to help put an end to this reign of blackmail and oppression."

"When the time comes," Howard said.

Jones rose, put his hat on, settling it firmly, drawing the brim down to shield his eyes, as if putting on a disguise in which he believed he could pass unknown among those whose censure bore on him so bitterly.

"It will come, and soon," he prophesied. "Yes, by God! if I have to take my gun and go out alone to do it!"

Jones left them, his solemn declaration still seeming to sound in the little room after he disappeared. The partners stood inactive some moments after Jones went away, the noise of carpentry, even of the voice, seeming a kind of sacrilege while that portentous vow echoed in their ears. Jake tiptoed to the window silently, and looked after the mayor as he passed down the street.

"Yes, I got you down wrong, old feller," he said gently, as if retracting something that had stood as a libel against the character of old Poke Jones. "I sure got you down wrong!"

CHAPTER XIX

TRIBUTE IS REQUIRED

Tony Purviance called his new joint the Longhorn, probably with some appreciation of local fitness, more likely because he had a pair of immense gilded horns which had surmounted the mirror behind his Kansas City bar and were at present unemployed. Texas longhorns, generation after generation of them, had grazed over that very spot; only a few weeks before the opening the last herds of them had been driven to other pastures north of the Kansas line, or shipped off lean and unfinished to be sold for feeders by the drovers who had leased the Cherokee pastures so long.

But the old cattlemen were gone, the thin-featured, sinewy men who followed their herds were scattered to new employment in strange places and strange ways. These people now gathered in the city of Cimarron were strangers to the land and its traditions, prosaic and small-minded, most of them; sordid and commonplace, sweat-sour and unshaved. There was no romance in them, nor their past; there was no appreciation of even the drama of civilization in which they bore an unconscious part.

Tony Purviance might spread his gilt steer-horns above his door, and do his best to bring back the

color and wild romance of a vanished time, but the actors for his melodrama were absent. They had ridden away ahead of this hurricane rush of plowmen and crude contrivers, and vanished out of that scene for evermore.

Here were men who would put down dimes, if permitted, on faro and roulette, and consider their obligations toward the painted partners of their clod-heeled dance liberally discharged in one small bottle of beer. Tony Purviance opened to throngs of visitors, but to little cash. He circulated among them in his shirt-sleeves, a diamond expressive of opulence and unlimited sources of hospitality screwed above his wishbone in the bosom of his broad-breasted garment, doing his best to play affable host to the coldest, tightest crowd he ever had met.

Tony shook hands and beamed radiantly as the cold stone in his shirt-bosom; he conducted with hospitable ceremony individuals and groups of promising but careful spenders to the bar, standing treat in the hope of warming them up to recklessness; he instructed dealers at his tables to be free with their orders on the bar when players assembled to try their luck at something entirely new and strange to most of them. In asides with the painted ladies Tony spoke sharply, with stern features and hard eyes, urging them to greater abandon in their efforts to set a tide of business rolling across his bar.

But summing it all up, the first night was un-

profitable. There was a good deal of rancid smoking, a vast amount of careless spitting on the floor and casting away of clammy cigar-butts which flattened under the heels and clung like adhesive plaster; some drinking, to be sure, and some small change risked on the tables. But, taken all together, a profitless and unpromising beginning.

There was no spirit of adventure in that crowd; caution was greater than curiosity among those first-night patrons. Even the painted ladies could not lure them to extravagance, nor make spenders out of toilers who counted so many hours to the dollar and considered the hard slow winning above the swift spending or losing, let the ways of pleasure be seductive and strange as they might.

Tony Purviance saw the first night out with gloomy face. If any night ever was going to pay, that would be the opening night. He cursed Milt Everett for roping him into the scheme, which had not been a difficult task, nor one requiring much blandishment nor art of persuasion, and he scorned the stingy spenders and sordid revellers of that town, where the disposition appeared to drink alone, or in small groups, and go away on steady legs.

The *Star* did its mightiest to boost the enterprise along, slopping over extravagantly next day. Reporter Stark said the Longhorn was far superior in its appointments, its stock of liquors and beauty of its ladies, to the famous Lady Gay of Dodge City, which he had seen at its best. The gentlemanly

barkeepers, the equally genteel and polished gents who presided over the various games of chance, made every visitor feel that he was welcome there, no matter how high or humble his station in life, nor how limited his means.

Tony Purviance read the tribute of this base sycophant with regret for all the hard liquor it had cost to prime his worn and wheezy valves. For the opening was a failure, let the *Star* throw all the fits of vulgar adulation its one-man staff could manage.

Howard and Zickafoos had taken a look at the show and come away, neither of them surprised to find it spiritless and flat, in spite of the glamour of many lights, music and painted women which Purviance had supplied. Milt Everett and his equally long and morose side-partner walked about the crowded room with their guns on, putting a good deal of liquor inside their dry hides at the expense of the house, with little likelihood of having any call to assert their authority. They seemed spirits of a more heroic age, as if they might have been called from their repose in Boot Hill burying-ground at Dodge City by this attempt to revive the wild revels of that notorious town in a place where everything and everybody but themselves were work-clogged, leg-weary and exceedingly tame.

There was not much interest for grafters in that kind of a one-man enterprise; gamblers, big and little, did not have to quit the comforts of Kansas City to journey so far to find a game. Others who

had rushed in at the first proclamation by Everett that he had thrown the town wide open had gone away when they learned that the one wide-open spot was between Tony Purviance's hands, and the outlook for loud and reckless revelry was confined to several thousand farm-hands, most of them with families lodged in tents on city lots which they hoped to sell and drift away with the proceeds intact in their jeans.

The partners discussed this phase of the gambling chance in Cimarron, concluding that it was very unpromising, indeed. As they hammered and painted they agreed between themselves, after appraising the crowd at last night's grand opening, that times had changed, and the habits of men who went ahead had changed with them. Railroad camps remembered by Howard had been far wilder than Cimarron could be made with the present material; Jake recalled the times of the old cow-towns of southwestern Kansas, when the nights were streaked with fire of many guns, and wild men in from the long trails blew the wages of months in one hilarious spree.

Times had changed, and men had changed, Jake sighed. Perhaps it was not so much that men had changed, said Noll, thinking it over, as these never had been that kind of men. Jake agreed to that, saying it was better for them, as partners in a livery barn, to be starting business in a community of such people than among the wild and reckless sort he used to train with. If he'd kept on training

with that kind he never would have had money enough to set up a collar-button stand.

This brought them around to the discussion of Jake's trip to Kansas City, which he proposed to make the following day, and the number of horses they should begin with, the kind of vehicles and the make. While he was away Noll would get in touch with settlers on the promising hay-lands near town and arrange for buying their crop.

Jake was as full of business as he was of hope, often a matter of speculation to Howard on why a man so capable and quick-witted in such things had delayed his beginning so long. Jake was about thirty-five, and he must have been in the saddle for twenty years.

Jake said, when the sun began to get low, that he believed he'd knock off work a little early and go to the post office. He was expecting a letter from his sister in Iowa, whom he had written to since his determination to settle down in Cimarron. As there would be a long line ahead of him it might be late before he got to the window, so Noll had better not wait supper for him. Noll said all right, make inquiry for him, also, while he was about it. They knocked off work and put their tools away, Jake turning to look back at the barn in high pride every little while as he proceeded on his way to join the line outside the post office door.

It was dark when Jake returned. Noll had finished supper at Mrs. Morrison's plenteous board and was reading the evening papers in his little

house which, still being without either window or door in the places left for them, was pretty well filled with various winged bugs bumping and blundering around the lamp. Jake was cheerful as a cricket in spite of his long wait, for his letter had come, and Noll remarked that it seemed to be a pretty good spirit-lifter from just a sister.

"'There's another, *not* a sister, in happier days gone by,' as the feller said," Jake admitted, "but this ain't from her. She married a sheepman, pardner, and I'm givin' it to you straight."

"Oh, I see," said Noll, somewhat enlightened on his partner's deep and abiding animosity for drovers of that class.

"This one's a sister, all right. She's a good kid, even if she is married to a barber, which comes next to a sheepman for downright onriness. Yes, she's a good little kid. You can't judge all the fam'ly by me."

"I'd pass all of them on the sample I'm familiar with," Noll assured him, without a taint of flattery.

"Some of 'em was purty onery, though," Jake said retrospectively. "Hello! Here comes old Doc Green, steppin' high like somebody'd been triflin' with his dignity. Hi, Doc; how you comin'?"

Dr. Green deflected from his prancing course to stop before Noll Howard's door, Noll's house standing but a few feet inside the line, after the fashion of building in Cimarron, where everybody expected his residence to turn into a business establishment very soon. Noll lounged in the door, the lamp on

a goods-box table behind him, a paper trailing in his hand. Jake was just outside, leaning against the wall.

"Of all the scoun'rel-infested places on the map of the globe, this town of Cimarron takes the pa'm!" Dr. Green declared, putting down his bag of heavy horse-instruments with a clank.

"You've spotted 'em right," Jake agreed, with vehemence that was encouraging to further denouncement.

Dr. Green removed his broken-winged Panama hat to wipe the distillation of righteous wrath from his high forehead, apparently overwrought for the moment by his emotions to such degree that words were impotent vehicles for his relief. Since the arrival of his wife he had been going about his professional ministrations clothed in a long garment coloquially called a duster, of a brownish-white color like unbleached linen, which completely hid the white shirt splashed with horse remedies, and gave him a more professional and dignified appearance.

To-night he was buttoned to the chin in this robe, and he was steaming hot, whether from late labors with a sick horse, the fire of indignation or the humid warmth of the night, it would have been difficult to say, but he had pulled the sleeves of his duster, and whatever garments it covered, up above his elbows, laying his forearms bare as for battle. And he undoubtedly was in fighting humor, whatever had driven him to that pass.

"Gentle*men,* I sw'a' if I'd had my gun along I'd 'a' shot the scoun'rel squa' between the *ob*scene eyes!"

"You-u-u-u know it!" Jake applauded.

"Nobody been tryin' to jump your property this late, have they, Doc?" Noll inquired, unable to account otherwise for so much perspiring indignation.

"No, si', no whelp in human fo'm has attempted that trick on me. When I speak of a scoun'rel I refer to that most complete example of his kind that ever trod the earth—the so-named head *po*liceman of this city. When I refer to my desiah to pull out my gun and plug him in the haid, I do so in the heat of my just and indignant wrath, si', and I'll do it, so help me Jeems Rivah! I'll do it the next time he *at*tempts to *im*pose his blackmailin' rascality on me!"

"Somebody will do it, sure as daylight, if you don't," Noll said gravely. "From what I hear of him he's workin' it pretty raw."

"He's carryin' on the most brazen robbery that a civilized community ever bowed its cowa'dly neck unda', gentle*men!*"

"Has he been tryin' to hold you up, Doc?" Jake inquired.

"I met the blackg'a'd villain down the street a little *while* ago," Dr. Green explained, sweating prodigiously, wiping his face and breathing hard, still under the stress of that encounter. "Yes, si', gentle*men,* I met him and that long-leggid buzza'd

that trains beside him like his vile shaddah at all times and in all places. What do you e-magine that vile scoun'rel had the effrontery to do but stop me and *de*mand the retu'n of the fee I cha'ged him for mendin' his cut ahm and *ob*scene body a few evenin's ago?"

"You don't say?" said Noll, about evenly divided between astonishment and mirth.

"*The* hell!" Jake exploded, feeling only one way about it, and that way exceedingly strong.

"Gentle*men,* the low-down schemin' rascal did so make that *de*mand. And, fu'the'mo', he info'med me I'd have to *con*tribute the sum and amount of ten dolla's monthly to his own private account befo' I'd be permitted to practice my ancient and *hu*mane profession in this town. Ten dolla's, gentle*men;* ten dolla's a month!"

"You didn't give him back the fee, did you, Doc?" Noll inquired, his resentment at this highway blackmail mounting high.

"I emphatically did not, si'," Dr. Green replied.

"Good boy!" Jake cheered him.

"I was unahmed, but I defied the wall-eyed rattlesnake and his sneakin' desiccated *con*so't. The scoun'rel put his hand to his weepon and he says: 'I'm a goin' to make it my business to call on you di*rec*'ly and collect both that money I paid you and the money you owe me for your *per*mit to cahry on your practice,' he says. 'And as a collecto', I'm a hummah,' he says.

"Well, si', gentle*men,* I squa'ed off in front of

that wretch and I fixed him in my eye, and I held him fixed in my eye, though he squi'med like a snake to evade my scrutiny, and I says to him: 'Fellah, are you familia' with the kind of a man we call a hummah in the country I *come* from? In the country wha' I come *from,* si', we designate that man a hummah who is able to apply his mouth to the nostrils of a hoss and blow the cruppah out from undah his tail. When I see you perfo'm that feat I'll not only hand you back your fee, but I'll hand you the ten dolla's a month likewise. Then, and not until then, si'.' Then I tu'ned my back on that vipah and left him standin', cuss his snivellin' soul!"

"You sure tied his tail in a knot that time!" Jake said, his admiration for the little doctor beyond all bounds.

"Do you suppose the old devil will try to collect the money?" Noll wondered.

"I'm expectin' him momentarily," Dr. Green replied. "I must has'en, gentle*men,* and be on hand when he arrives. If you heah any poppin' goin' on ovah in my *di*rection you'll know he's come."

The partners watched Dr. Green go prancing off, full of ginger as a two-year-old on a frosty morning. They knew Milt Everett would collect something that he couldn't pass current at any bar in the land if he appeared at Dr. Green's door that night.

"He won't come alone," said Jake. "They'll gang him."

"Yes, Everett can't afford to let a bluff like that stand. If he does, he'd just as well throw down his hand."

"Don't you reckon we ort to help old doc out in a case like that?"

"It looks to me like we ought to, Jake. It's not only Doc Green's fight, but everybody's fight. If Everett begins to collect outside the saloons he'll never stop till he's got everybody throwin' something in his sack."

"Yes, and if he charges ten dollars a month for a horse doctor, what do you suppose he's goin' to tax a livery barn?"

"I was wonderin'," Noll replied.

"Well, I'll prance on over and eat," Jake announced. He started, stopped, hesitated. "Oh, well, I guess I won't need any gun. I left it hangin' in there at the head of your bunk. I'll dust over and grab it the first crack I hear. I'm kind of gittin' out of the habit of packin' it around."

CHAPTER XX

RAILROAD STRATEGY

WHEN Jake put his leg inside Mrs. Morrison's door he saw that half the police force of Cimarron was being entertained at her table. This was the younger half, both of the men somewhere around Jake's age, neither of whom Jake ever had spoken to or had any contact with, not even to the extent of meeting them on the street. He had seen them pass many times while working on the barn, and had noted understanding glances between them more than once on such occasions, as if they held something in reserve for that new enterprise. Noll had noted this covert sign of secret understanding, also; the partners had discussed it, believing it had something to do with a day of reckoning Milt Everett had chalked up against them.

Jake and Noll had agreed to let matters run the charted course, keep out of the way as much as convenience and self-respect would permit, to avoid provocation or anything that might be taken for aggression, and do all that was honorably possible to promote and maintain peace. Both of them expected Everett to call them for the humiliation he had suffered at their hands, yet they did not want to go around with their bristles up making a bid for a row.

As an earnest of their pacific intentions they had put aside their guns. Besides, they felt themselves too conspicuous lugging them around in a community where guns were not displayed to view in that open and honest way. Cimarron carried its pistols in its hip pockets, stubby ones, fit only for throwing a bluff, or business at very close range.

Jake would not willingly have sought the company of these two deputies of doubtful legal standing but unquestionable and self-confident arrogation. But, being in the door, he could not turn and leave without the appearance of timidity and retreat. The public does not credit a man very highly for caution of that kind, notwithstanding the genuine heroism it often calls for to exercise it. Public opinion has been responsible for more than one cautious brave man stalking right ahead into trouble that he otherwise would have avoided with an easy conscience. It is not so much a case of conscience making a coward of a man, as fear of the vulgar censorship prodding him on to make a fool of himself.

Jake Zickafoos saw the two deputies looking at him in the glass of the pie chiffonier, in front of which they were seated, probably with the design of watching what went on behind them. He would no more have turned his back on them than he would have taken off his hat to Milt Everett in the middle of Avenue A, although he felt something flit over him like the shadow of a hawk's wing. Trouble ahead, and he knew it, but he went in with

a cheerful salutation to the ladies behind the counter and took his place not far from the elbow of the meaner-looking one of the pair.

This was a light-haired, fair-skinned man, lightly built and sinewy, with a stoop in his shoulders, an expression of sneering contempt in his thin white face, common to small oppressors and gun-confident men. He was a trouble-hunter, a trouble-maker, a type of his day and range; cruel, sensual, mean. The other was a robust, range-bred type of man, who seemed out of his place in that employment. Jake would have put him down as a cowman if he had met him in any other company.

They were sitting at table with their hats on, which would have been enough to mark them as ruffians in Jake's estimate if he had not known their character in advance. That was a breach which few men, even in that rough company of rustics and laborers, were guilty of, and least of all, Jake. His hat always came off the moment his foot struck the threshold. Mrs. Morrison had noted it, and Josie. He was down on their list as a perfect gentleman, which is quite a different classification than gent, even in the vocabulary of the unlearned.

Jake was conscious of a suppressed anxiety in Josie's manner when she served his dinner, although she attempted the light banter that always passed between them. He knew she felt it to be a bad conjunction of materials for the peace of that house, although Jake did his best to assure her by

expressive glances that he was going to take a great deal before precipitating a conflict that was likely to end badly for him. He even made a pretense of getting up to reach for the peppersauce bottle, although he never used it, to show her he wasn't carrying a gun.

Still the trouble lurked in Josie's eyes, and the shadow of foreboding on her pretty face. Jake got a line on some of it when he caught the man next to him ogling her with that leering familiarity which is defilement to an honest woman. Jake felt his hair bristle as if a fly had lit on it, and the muscle of his right arm stiffen. He made a quick calculation of the distance, and picked out the spot on the fellow's jaw, but Josie caught him in her eye, thanking him for his eagerness to lay on the deserved chastisement at the same time that she restrained him.

Josie turned her back to the insulting stare, leaning lightly on the table in front of Jake, attempting some friendly passages. But her face was scarlet with a surge of indignation and shame, and her fist was clenched so hard her knuckles were white.

The offender nudged his companion, jerking his head suggestively at Josie. The robust one snorted, as if to say his wisdom was broad and he knew all virtue was a pretense. They laughed, humping over their plates to gobble their pie. Up to this point they had not favored Jake with any sort of

notice. He hoped they would make a quick exit, and not provoke him to introduce himself.

The larger man pulled a handful of cigars from his bulging vest-pocket, displaying them to his companion's selection with a laugh. They were of miscellaneous shapes and size, the gleanings of his industrious day. When they got up, with what plainly was deliberate entanglement of the legs in an effort to upset the long bench and spill the remaining customer, laughing at his scramble to save himself, Josie turned to them to collect.

"Charge it to the city," said the man who had insulted Josie with his lecherous eyes.

He jerked the order out with an overbearing sneer, struck a match on the table, lit his cigar. Jake slipped the peppersauce bottle from the table, uncorked it, and stood it on the bench between his thighs.

"We don't do any credit business," Josie told the mendacious customer.

Mrs. Morrison came forward, a strained anxious look in her face, but the light of combat in her eyes.

"We can't afford to do a credit business, even with the police," she explained. "It's hard enough, in all conscience, to make both ends meet with cash for everything. You gentlemen—"

"What 'a' you got to say about it? you damn little runt!" the spokesman for the police force demanded of Jake. He had stood scowling down at Jake with a look that deserved hot lead while Mrs. Morrison was stating her case.

Jake looked up, turning deliberately on the bench to face his challenger. He was holding the peppersauce bottle out of sight, finger over the neck.

"Well, since you ask me," Jake replied calmly, apparently unmoved by the insult, "I'll say to you it looks purty raw to me to eat off of a widder woman and try to walk away with it."

"Get out of here; and don't ever come back, either one of you!" Mrs. Morrison cut in, anxious to divert the pair's attention from Jake to herself. "You can't graft off of me, no matter how many people in this town stand for it, and you'd just as well get that straight right now."

"Gits under your hide, does it, Shorty?" said the trouble-hunting sport.

He reached out with his fingers fixed in the plain intention of twisting Jake's ear.

"Git up out o' there and come with us!" the other ordered huskily. "You're pulled for interferin' with a officer."

Jake jumped up as the fellow who was reaching for him touched the tip of his ear, his movement so sudden, his attitude so threatening, that both men reached for their guns, although they must have known all the time that Jake was not armed. Jake hopped to the bench where he had been sitting, made a slash with the peppersauce bottle at the nearer man, cutting him across the eyes with the fiery liquid, fairly strangling him with blinding agony.

The man who had arrested Jake had his gun out.

He pegged a shot at Jake, which went wild as the shooter ducked to protect his face from a jet of peppersauce that showered the brim of his hat. While he was still bending, his companion writhing and groaning in as terrible visitation of pain as ever struck a man, Jake cut under the hat-brim and hit his mark.

The first man to suffer this unexpected and, in his experience, unique assault, was clawing for his gun as Jake cleared the door in one jump from the bench. He hit the ground running, cut a streak for Howard's house, where the light shone brightly through the unbattened cracks. Noll was at the door, gun in his fist, looking out to see where the rumpus was, when Jake came bowling in, heading for the lamp, which he put out with a puff.

"Who was that shootin'?" Noll inquired.

"Two of them grayback wranglers that calls theirselves police."

"Shootin' at you?"

"You said it!"

"What's the row?"

"Arrested me for interferin' with the police when I hinted they had a right to pay for their supper 'stead of walkin' out like a couple o' bums."

"I didn't think they were onery enough to pull off a thing like that."

"Pardner, they'd roll a blind man."

"I wonder why they don't come along?" Noll said, listening at the door.

"They will—soon as they git the peppersass out of their eyes."

"He didn't hit you, did he?" Noll asked anxiously, the possibility of it having struck him only that moment.

"He hit a hole in the air," said Jake.

"Did Josie spike them with peppersauce?"

"No, I saw trouble comin', and I borried her trick. I run into them two fellers when I went in to eat."

"Everett and his side-pardner?"

"No, the other two. Have they went out of there yet?"

"No. Something funny about that. I've been watchin' the door."

Jake felt along the wall for his gun. There was a scuffing sound as he buckled it on, and the peg of his heels as he returned to the door.

"Well, one time or another, and the quicker the sooner," said Jake, pushing outside past his partner.

"Where you goin', Jake?"

"Goin' to clean up on them wranglers!"

"I don't believe I'd rush things along, Jake. It'll look a whole lot better if we wait here for them to come."

"Maybe they're holdin' up Josie and her mother to even up. They was there alone."

Noll joined his determined partner. There was the rustling noise of dry leather as he drew his cartridge belt around and buckled it.

"We'll step over and take a look," he said.

There was little activity on the street at that hour, it being the slack time between supper and the beginning of such business as thrived best at night. The street fakers were just beginning to light up their stands; the music in the Longhorn had not yet struck the first note. The partners cut across toward the broad beam of light that streamed through Mrs. Morrison's wide door, making the darkness which it tracked seem deeper. There was a swishing of quick feet behind them through the dry grass; they turned sharply, to confront Dr. Green, who spoke in diminished voice.

"I thought I heard a gun pop over this a-way?" he said.

They told him briefly what the trouble was, and where they were going.

"I've been watchin' and waitin' for that scoun'rel to appea' at my doo', but he's failed to keep his appointment. This bein' your pusonal affai', gentle*men*, I'll not intrude," Dr. Green said, chivalrously. He turned without more words and went back.

"He don't give and he don't take," Jake said admiringly, "but I'd ruther tackle a catamount with my shirt off than mix with that little man."

"Let's take a slant at 'em through the window in this end," Noll suggested, tacking toward the dimmer light.

There was a sound of sloshing water, muttering, swearing, groaning, coming out of the open window. The partners approached cautiously, assured

that all was well with Mrs. Morrison and Josie, and looked in at the window at the end of the table farthest from the stove.

The two gun-fanners were bending over basins of water, which had been set out for them on the bench beside the table, trying to wash the agonizing essence of cayenne out of their eyes. Josie was leaning her elbows on the table across from them, enjoying their misery, Mrs. Morrison and Billy around in front near the sufferers, the lad with the bottom portion of the broken peppersauce bottle in his hand, his mother holding a bottle of oil.

Billy saw the two at the window, put down the bottle-end carefully, and made a pantomime of drawing a gun from a holster, tiptoeing between the two sufferers, ready to act on the nod. Noll shook his head, and Jake made a vehement gesture for him to steer wide of attempting such a trick. Josie followed her brother's glance to the window, saw the watching partners, and grinned.

"You fixed 'em, and you fixed 'em right," Noll whispered. "I don't believe we'll have any call to pull a gun on them to-night."

They stepped aside out of the light, Jake to lean in his habitual slouching posture against the side of the house. If there was anything around to lean against, Jake would lean, especially when he had something to think out, such as the proper angle to saw a rafter, or the advisability of disposing of two able-bodied enemies while he had them at a disadvantage.

"The show-down's got to come," Jake ruminated, "quicker or sooner, if not before. I never did pull my gun on a one-eyed man, let alone a blind one, and I'm sport enough to give 'em time. But they've bit a bullet for me, pardner, and they're goin' to let me have it if I don't beat 'em to it."

"I wouldn't doubt they've got 'em notched for both of us."

"If they ever put me in that calaboose it's goin' t' be because I've *done* something, not because I spit out a piece of my opinion when I was asked for it. These fellers can't go on high-horsin' it over this town this way. Somebody's got to put the skids under 'em—I might as well start it right now. Nobody's life and property ain't goin' to be safe in this town with them fellers runnin' loose."

Noll drew him away from the house, for Jake lifted his voice as he discussed the shameful submission of Cimarron to the rule of these blackmailers.

"I think two of them are due to lose their jobs when Everett finds out the way they bungled it with you," Noll said. "Anyway, Jones may figure out some plan to get rid of them."

"He's willin', but he don't look to me like he'd have much of a show steppin' out to meet them fellers with a gun. What do you reckon she had in that bottle?"

"Mrs. Morrison? It looked like salad oil—it was that kind of a bottle. I guess she was goin' to grease 'em up."

"She's got a right to put a spoonful of conce'-trated lye in it. Yes, she'll grease 'em up, all right. She'd chop off a rattlesnake's head one minute and feel so sorry for it the next she'd try to sew it back on. Danged if I didn't scoot out of there so fast I forgot my hat!"

"You can get it in the morning—Josie'll take care of it. It's wiser to let things stand as they are to-night, Jake. I don't believe this is either the time or the place to call for a show-down with that gang. It'll come, I feel it in my gizzard, but let them bring it to us—we've got no call to go huntin' trouble. As it stands, you're ahead of the game. It's their play."

"Yeah, but they've bit a bullet for me. If I done what I got a right to do I'd—"

Josie appeared at the window, pushed up the sash as high as it would go, leaned out, and laughed.

"Come on in and finish your supper, Jake," she said.

Jake jumped into the beam of light broken by Josie's body, and looked past her into the room. Mrs. Morrison was sweeping up the fragments of peppersauce bottle; her two unwelcome visitors were gone.

"Did you send them sheep-wranglers out the back door?" Jake demanded accusingly.

"Sure," Josie replied lightly, rather saucily. "We don't want any shootin' and killin' goin' on around this joint."

"Well, I should say not!" Mrs. Morrison seconded, coming to the window, stooping to peer out. "My heart's in my mouth yet over the close call you had with them two murderers. Come on in here and eat the rest of your supper—I've kep' it standin' on the back of the stove."

"You stop fidgitin' with that gun, Noll Howard, and come in this house!" Josie ordered imperiously, seeing Noll lingering dubiously in the door, hand on his weapon.

"I've not got a great deal of faith in 'em," he told her, but he entered reluctantly, with watchful look over his shoulder.

"They'll not do any shootin' to-night," Mrs. Morrison declared. "Their eyes were swelled just about shut when they left, and they'll go on swellin' unless they find a doctor that can do something. Josie soused a fresh straw-boss that way one time, and he was a week or more gettin' over it."

"Yes, and I got the tip from her," Jake said, proud to give credit where it belonged.

"It's a railroader's trick," Mrs. Morrison explained. "You give a railroad woman a bottle of peppersauce and she'll take care of herself in any kind of a rumpus. I always keep plenty of it standin' around handy, although hardly anybody uses it any more."

"It beats a gun any day," Josie laughed.

"Sure does!" Jake agreed.

"Noll, take and stand that door up—I'm goin' to have the carpenter hang it in the morning, and

put screens on all over to keep out the flies. Josie, pull that gunnysack down over that winder—this place is closed for to-night. Now, you go ahead and eat your supper in peace, Jake. I'll cut you off a fresh piece of meat, but the p-taters are all gone. Would you like for me to open you a can of beans?"

"Ma'am, I et so many beans when they had me in jail down in Texas one time I can still hear 'em rattle when I walk," Jake said, seriously as if he pleaded for mitigation of sentence on some grave charge.

"What did you do?" Billy Morrison inquired eagerly, sidling up in almost breathless admiration, his knee on the bench beside Jake. It was evident that Jake had enlarged as a hero at least three diameters in the boy's esteem.

"Billy!" Josie chided him sharply.

"To git in, or to git out?"

Jake suspended operations with knife and fork to put the pertinent question of fine distinction, twisting around to look at the admiring lad.

"To get *in*."

"Well, I tell you: I took a shot at a barber."

"I bet you hit him, too!"

"Me? No, I didn't even brush the flies off of that feller. It'd 'a' been all right if I'd 'a' hit him; nobody'd ever put a man in jail for shootin' a barber down in Texas. I busted a winder in a drug store. That's what I done."

Billy looked at him queerly, as wise as the rest

of them in his interpretation of Jake's brief story. Whether it was true, or a piece of manufactured pleasantry designed to ease the tension of a straining hour, not even Noll Howard could guess. But they laughed over it, making believe they accepted it as an invention, whatever their private reservations were, and Jake finished his supper, with an extra piece of pie as a sort of tribute from the house for his adaptability in the matter of railroad ladies' methods of defense.

The night was cool, bugs were pretty well excluded from the dining-hall, and nobody came in hostile intent to break the peace within. Though those assembled there talked lightly of what had passed, and some of them, Mrs. Morrison and Josie, mainly, spoke hopefully of the future, there was constraint and vigilance, strained waiting and strained listening, upon them all.

Perhaps that was not the hour, but the hour was pending. Not one of them there, even to young Billy Morrison, who did not feel the portent of it, like the forerunning breath of a storm.

CHAPTER XXI

A MAN ON A ROOF

DANGER is not so formidable by daylight as in the close-hemming mystery of night. One who has stood out against it in the dark, faculties tuned to the finest consonance, every sense quickened to almost painful activity, relaxes with the dawn, and finds sunrise assuring as the coming of a friend. Mysteries dissolve by daylight, as miracles cease with enlightenment. Where danger can be seen approaching from a distance, much of the terror of its coming is allayed, and the unknown that bulked upon night-quickened imagination often shrinks to such mean proportions by daylight that it cannot move an apprehensive thrill.

Jake Zickafoos and his partner Howard were not different from other men in their unbounded confidence in the cheerful ally of daylight. The impending climax in their feud with the police of Cimarron did not appear so imminent when the sun rose next morning; their expectant watchfulness relaxed. They felt that the time was not yet; that they had been mistaken in marking the hour so early on the dial of events.

One side of the new barn remained to be painted and, as his train did not come along until eleven o'clock, Jake said he would improve the shining

hours by spreading on a few squares of red adornment. The police force appeared to be in either forgetful or forgiving mood. Everett had not fulfilled his threat against Dr. Green; nobody had called at the partners' location to square accounts for the dosage of peppersauce, none of them had been seen passing on the street. Jake said he hoped he hadn't put their eyes out, for he was a tenderhearted man by rights, and would rather be killed outright, speaking for himself, than lose his eyes. Noll said he was of the opinion that Everett had fired the pair, and they had made a sneak out of town.

One thing and another contributed to their growing feeling of ease and relaxation of vigilance until, when it came to the question of wearing their guns both men cast around for a little more argument to justify leaving them off.

"I never saw a man paintin' a barn with a gun hangin' on him," Jake said, as if the whole thing hung on an established precedent.

"I don't remember that I ever did, either," said Noll, fingering his mustache, drawing his brows, as if struggling to recall such an incident in his experience.

"A feller'd look like hell swingin' a paint brush with a gun on him," Jake declared. "That's a job a gun don't *go* with, it's so dang peaceable and innercent. I tell you: le's hang 'em in the office, where we can bust in and grab 'em if we see any signs. I'll work on the ladder and you stick to

the ground. That way I'll be up in the air where I can look around, and you'll be where you can hop to it when I grunt."

As Noll pointed out, the weakness in this arrangement was that Jake could see in one direction, only. Yes, Jake admitted, that was so, but it was the calaboose direction, and all of them bunked in the calaboose. They'd be sleeping late; since the Longhorn opened they never were seen around before noon.

"What's more," Jake argued, "if they head this way lookin' for trouble it'll prove we're innercent and harmless if we have to run for our guns. If we had 'em on, the jury might take it in their heads we was lined up expectin' a fuss. It's always better to play safe with one of them juries."

So they played safe, as far as any future jury was involved, hanging their guns inside the window of the barn office, out of public sight but well within private reach, and went cheerfully to work at their peaceable and innocent job.

Traffic increased in the street from straggling lines of laborers and artisans setting out on their day's work to a heavier stream of wagons transporting material to building sites, supplies from the railroad station, kegs of beer to the saloons. Buggies of real estate men and early grafters cut in and out through the sluggish traffic, alert as dragon-flies in the morning sun; small bands of cattle passed, jogging wearily from long drives in the night, headed for butchers' pens, to be turned

into steaks and stews by evening, and served to the ravenous feeders who were making the clatter and clank of industry in Cimarron that hour.

Wagons and single rigs were coming in from surrounding claims, many of them with an extra horse or two in tow. Business was proceeding actively at the horse market that had been established on the corner a few lots beyond Dr. Green's location, and here many of the led animals brought in from the country would change hands in the course of the day.

Cheap creatures, these, weary and wind-galled, lean and lonesome, with here and there the wreck of an aristocrat among them. No material in that land for two enterprising young men to stock up a livery barn. Amid vast bargainings, sly raillery, much going off in pairs and groups to have a drink, these sorry nags would stand in the sun for weary hours, haggled over by a class of petty gamblers as distinctive to the horse-lot as the very smell of horse itself.

Wagons loaded with water-barrels came from the creek trailing dark streaks of wet in the dust; women and boys passed bending under the weight of buckets filled from the same source of supply, water being the big problem in Cimarron, as it remained for a long time after the overpopulated condition adjusted itself and the town settled down on the basis of prosaic permanence. Well-borers, well-diggers, were at work like gophers all over town, throwing up earth everywhere, making holes

down to shallow water which soon was to become contaminated and bring a visitation of disease.

The partners had contracted with a well-borer, whom they expected that morning to begin operations. Jake became so much centered on watching for this man, plenty of water close at hand being so essential to the business of keeping many horses, that he allowed the police to slip back to second place in his thoughts as well as his vigil. Just about the time Jake was thinking of coming down off the ladder to shave and sleek himself up for his trip to Kansas City, the well-artist arrived.

This man had an auger of at least three feet diameter, which was driven into the earth by horsepower, and hoisted for dumping by the same means. It was a common instrument in its day, much favored for sinking wells where rock was not encountered, and this auger gleamed bright as a plowshare in the sun from much business in Cimarron. Noll said he'd show him where they'd driven the stakes to mark the well, and Jake said yes, go ahead; he'd use up the paint in his bucket and then come down and scrape his face and put on his necktie and other pants. If there was one remaining thought in his head of power-usurping, vengeance-seeking policemen with cayenne pepper and vinegar in their eyes, it was only a shred of a thought, indeed.

Jake spread the paint with limber wrist and calculative eye, the bottom of his bucket showing bare. He was working his brush dry, pretty well up to

the top of the ladder, leaning and reaching to get at a bare spot between the rafters which projected to make overhanging eaves, when he heard Noll come back and stop at the foot of his perch.

"How long does he think it's goin' to take him?" Jake inquired, peering between the rafters, dabbing away at the unpainted plank-ends which nobody but a nesting sparrow ever was likely to see.

"Pile down off of that ladder, damn you!"

No, it was not Noll; Jake realized that at the first word without waiting for the last. No less important dignitary than Milt Everett himself, in fact, as Jake's quick squint down the ladder verified. Everett was standing near the foot of the ladder, looking up with a most unfriendly expression in his red eyes, and his gun-arm was ready for business again.

"Yeah, just leave me swipe the paint off of this brush," Jake replied, apparently unconcerned as if innocent of his visitor's intention, hoping to gain a little rope for himself and give Noll time to come around the corner of the barn.

"Pile off right now! What in the hell do you think you're doin' buildin' a livery barn without a license? Do you damn fellers think you're runnin' this town? You're pulled. Pile down!"

Jake rolled his eye to see if Noll had heard the challenge and was on his way to their guns, letting a foot down slowly, feeling blindly for the rung below him like a man unaccustomed to being up that high on a ladder. Noll was not in sight, and

there was a hammering of stake-driving behind the barn where the well-auger man was setting up his machine. Noll couldn't hear a whistle over that racket.

Besides, there was the pale-haired deputy standing right where he'd see Howard the second he threw his leg around the corner of the barn. He was wearing smoked goggles to temper the sun to his inflamed eyes, and Jake knew as well as he was aware that his foot was dangling between rungs of the ladder that they had come there to kill him. They were only waiting for some kind of a break that could be construed in their broad code as resisting arrest, and then they'd let him have it. They never intended that he should see the inside of that calaboose.

It was a situation calling for some fast thinking, and Jake was doing it. There or on the ground they'd plug him, at the first move they could pass for the color of resistance. It would look better for them, Jake knew, if they waited until he struck the ground. Then they could say he had started to run.

A man can review his life in the fraction of a second, down to the most trivial events, to the inclusion of incidents long forgotten which leap up like figures revealed in the green lightning of a midnight storm. Any man who has felt the throttling waters at his gullet, or who has been given reprieve for this conscious recapitulation before the final clutch of death in any form, and has escaped to

walk forth again in the sun, can testify to the verity of all this. It is an old tale to such a man, although there are some to scoff it, and bend superior brows. And, as the imminence of death over one but a moment before vigorous and strong revives the memory, so the pressure of danger speeds the imagination and quickens the invention. A man can think a thousand miles a second when somebody is reaching for a gun.

Jake Zickafoos did all his thinking and planning, and came to his decision, in that spare second when his foot hung between the rungs of the ladder. They were there to get him; they had enough laid up against him to overbalance any sense of justice or fair play they might accord to another man. As soon as his foot struck the ground they'd let him have it; Jake knew that as well as he knew the sun was shining.

That was when Jake made a feint of slipping, and slung the bucket and brush at Milt Everett as if he had let them go to save himself a fall. Everett jumped back from the foot of the ladder to save himself from being doused with red barn paint, as he supposed, and Jake, taking up the slack of the moment's confusion, ran up the ladder as nimbly as a squirrel and started up the long slope of the roof toward the comb.

Jake was wearing a pair of stiff-soled plowshoes, bought but a few days before, footgear not especially to be recommended for scuttling up the slope of a barn roof, let the pitch be even moderate as

that one was. But Jake went up rather fast, with considerable clatter, the move taking him for the moment beyond sight of the two men below, as he had calculated. They were standing close to the building; they would have to back off to get a shot.

Jake's plan was to make it to the peak of the roof and over to the other side, where he would be safe for a few seconds, long enough to whistle the alarm to Noll. It would have taken something more than two men with guns to make him yell for help, pressing as his necessity was even so. A man's dignity had to be considered before his safety sometimes, and that was one time, although Jake did not think of the figure he made scrambling up the long slope of that roof in the eyes of half the inhabitants of Cimarron.

The deputy whose eyes were still burning from the douse of peppersauce pegged a shot at Jake while he was still ten feet from the peak of the roof; Everett came along with his as Jake rolled over the top. The first shot struck between Jake's feet, the second exactly where he had been not the fifth of a second before. It went zipping over him, not even nipping the shingles. Everett's gun-arm was in working order again, for a fact.

Jake was hugging the shingles, thinking what next and that due any minute, when somebody on that side of the barn took a crack at him, not alone one shot, but several, throwing them so fast they seemed to be running in a stream. Jake didn't wait to count them, or see who was handing them

along; he just made a heave and a roll and went back the way he had come, holding to the little fringe of upstanding shingles the carpenters had failed to saw off when they put on the finishing lap. He hung on desperately to this insecure handhold to keep from rolling down into Milt Everett's arms.

Then the deputy with goggles, who had started around to the other side as Jake rolled over the first time, saw that he had come back and began to pester him with lead. Taken all around, it was about the most uncomfortable and trying situation any sawed-off cowpuncher ever found himself in, although the peppersauce had something to do with his apparently miraculous escape from the bullets which tore into that brand-new roof all around him. It was pretty wild shooting, to say the best, but close enough to convince Jake that he ought to be up and on his way.

He considered the ladder; a glance to where it had extended above the eaves showed it gone. Everett had kicked it down, well enough satisfied to have Jake where he was, seeing that Howard had dashed into the barn by the back door at the sound of the first shot and grabbed the guns. Jake heard the first shot from the office below, and raised a whoop to let his partner know he was still holding air.

But it wouldn't do to ride that roof, even with their attention called off as it was just then. How to get down was the question, for if he started towards the eaves to make the drop of twenty feet

—enough to bust a feller's legs if he happened to land twistin', Jake thought—he might get to going so fast he'd shoot off like a hailstone and smash himself flat. He thought of the beam projecting beneath the peak of the front gable, designed for hoisting hay into the loft. He might swing into the loft by that. Right then it looked like a trifling feat, but when he crawled to the edge of the roof and looked over he changed his plan.

The eaves projected eighteen inches, the beam was away down out of arm's reach and, if he happened to land on it safely he'd never be able to swing into the hay door, for the top of it would strike him about the knees, let him stretch his longest, which, Jake regretted as never before in all his days, was not overly long.

As he lay there peering and calculating, Noll Howard burst out of the front door, fanning away with both guns. Jake had only a glimpse of him before he was out of sight around the corner, heading for his own shack, Jake supposed, although it would not turn bullets any faster than the inch pine planking of the barn.

Jake could not see Everett and the man with goggles, and he had no way of knowing whether the entire force was present, or only the three who had taken cracks at him. From the sound of what was going on, he concluded somebody had sneaked in on Howard from the rear and made it too hot for him in the barn. There was a lot of shooting going on directly beneath him, but there was nobody out

in the open trying to pick him off the roof. They seemed to have forgotten him in the pressure of business Howard had started.

This phase of the situation did not bring Jake either relief or assurance. He lay there panting and sweating, wrung by agonizing concern for his partner, cursing the mischance which cut him off from the battle like a squirrel on a limb. They'd kill Howard—from the sound of the guns all four of them must be in the barn cracking away at him —then they'd turn their guns on him.

Better to take chances with a broken bone or two than lie there and let them pick him off after they'd finished Howard. A man would look like hell rollin' down the roof and floppin' off to the ground, all limber and leakin', and drilled full of holes, Jake thought. Better go of his own accord, even if they got him after he landed. It wasn't the thing to get shot and tumble off a roof; it wasn't decent. That was the way Jake considered it as he began to let himself down, holding to the gable eaves to keep himself from going all at once.

As he worked down this way, going pretty fast, coming nearer every second to the hazard of the drop to the hard ground, Jake saw people running away from the neighborhood of the barn to give the wild bullets room. He thought it took them a long time to realize their peril, for it seemed to him it had been many minutes since he scrambled up the roof, although it could not have been much more than one minute, at the utmost calculation.

Some drivers whose teams were unruly had cut and left them; there was a tangle of traffic, interlocked wheels, jammed wagon-tongues, kicking, plunging, squealing horses, directly in front of the barn. Hell would be to pay in that town in a minute, said Jake, as he went sliding down the roof, all set to drop and take what might come of it, a big hope bulging his heart that he might hit right-side up and a-comin', escape falling into the hands of any of that gang, and be able, in some way beyond present contriving, to give that old shootin' sheepman partner of his a hand.

CHAPTER XXII

PITCHED BATTLE

NOLL HOWARD believed Everett and his gang of so-called deputies had wantonly slain Jake Zickafoos. When he heard the shots, followed almost at once by the noise of the falling ladder, he was swept by such a hopeless feeling of despair that the day seemed to darken and the noise of life to fall away and cease around him as if he had been plunged into a vacuum. Jake was dead, and he had connived in the folly that had made him a defenseless victim of Everett's outlaw gang.

That was his first poignant thought: he was to blame for Jake being up on the ladder without his gun, and himself out there behind the barn as helpless to avenge him as a post set in the ground. Then he broke through that cloud of remorse and horror as if he rushed into the sunlight and noise of human activity from behind a cataract, and jumped for the gun he had left, beguiled by the deceptive security of the autumn day, hanging in the office on the same nail with Jake's.

Milt Everett was coming around the corner of the barn that moment. He saw Howard cutting for the back door and threw a hasty shot as he came headlong after him. The bullet had no effect except that of hastening Howard both in his gait and

his desire. He galloped through the sixty-foot length of the barn, which seemed dark as a cellar coming in so suddenly out of the sun, wondering what he would do and where he would go if they had seen the guns hanging in the office and taken them. Everett was inside, shooting wildly through the gloom, as Howard reached the office door. Two men flitted past the window making for the front to head him off.

The guns were hanging where he and Jake had left them, so near the window which the two men had passed that they could have reached in and taken them on the jump. Howard let go a vast pent breath of relief, slung the two belts over his shoulder, kicked the door shut behind him to keep Everett guessing and stood a moment listening, considering which way to go.

It would not be prudent to remain in that little box of inch planks, with Everett boring in on one side of him, the rest of them in front holding their fire for a sound to tell them where to shoot. There was a pile of dimension lumber for stalls lying near the corner of the barn, about half way between the building and Howard's shanty. It lay end to the street, and was about four feet high. Howard believed he would have a much longer and brighter chance of settling Jake's account behind that pile of scantlings than inside the barn.

The office was in a front corner of the barn, on the side next to Howard's house. It was merely an enclosed corner, about ten feet square, with a

window in the side wall, the door opening into the barn, through which Howard had entered, and another door giving entry from the street, after the plan of offices in livery stables the country over. The window was framed, but the sash had not been put in, leaving an unobstructed opening wide enough to let out a bigger man than Howard. It was about three feet from sill to the ground. Howard was at the window, taking a cautious look outside, when Everett arrived at the door which Noll had kicked shut but a few seconds before.

"Watch the winder on the side!" Everett directed his men in front.

Howard heard somebody come pounding around the corner of the barn heading for the window. It was a timely diversion for Howard, not considered by Everett when he yelled the command. At the same time Everett, taking a foolish chance in the confidence of numbers, started to open the inside door.

Howard flipped a shot through the thin panel, jumped to the front door, threw it open and burst out, while behind him Everett was drilling the other door full of holes and the man who had arrived at the window began to pitch angling shots across the corner of the office from his skulking position beside the opening. This man's caution about revealing himself doubtless preserved Howard's life as he made his exit through the front door. A bold man could have killed him with one fair shot through the window, but all the damage

the shooter at his back accomplished was to knock splinters from the door jamb beside his head.

Boone McDanield and the cowman-looking deputy were in front of the barn when Howard came out in the unexpected and dramatic dash that had won him the shout of enthusiasm from Jake Zickafoos perched on the roof overhead. While Howard could not have made a passing grade as a two-gun man, he could get as much noise out of a weapon with his left hand as anybody, and he appeared in the front door doing very well in that particular.

The two men were not more than five yards away, standing not in front of the door Howard came out of, but in the wide entrance designed for vehicles and horses. This was on Howard's right. There the two of them stood blazing away at him, their bullets cutting so close he felt the wind of them fan his hair.

They were cautious about exposing themselves, keeping back a little inside the broad entrance, but Boone McDanield stepped out from the shelter as Howard drew away from the door into the open, with a confidence in his past that cost him dearly. He dropped his gun and went stumbling in a peculiar tipping, sidling way toward the door, as if somebody had given him a vicious push. He was holding his right hand to his side, groping out with the other as if frantically feeling his way in the dark.

The other man made a jump after him, clearing

it to cover in a bound. Howard heard Everett and the other man still shooting behind him as he cut a streak for the pile of lumber, his hide still whole as far as he could tell.

As he rounded the corner of the barn Howard saw a man's leg going through the office window. He didn't trouble to fire at him, but scuttled like a chased cat behind the lumber. There he dropped to his knees and loaded the empty chambers of his guns, throbbing with the tremendous stimulation of battle, so intensely centered on vengeance and defense that public activities around him were only a distant blur.

He was conscious of great commotion in the street, the clatter of swift-moving wagons, the beat of running hoofs, the excited shouting of men, the strident shrieks of women cutting the commingled confusion like darting red flames of sound. But it was all incidental to him, aside and far removed from possible contact, it seemed. His world had contracted to the length of that lumber-pile; the width of it was the distance between him and the barn.

Howard waited behind his barrier, excitement beginning to cool in him a little as he began to consider how it was going to end. He had hit Boone McDanield, how seriously he could not guess, for a man sometimes goes spinning that way from nothing more than the clip of a bullet that knocks out his wind. His own skin was marvelously untouched, although gunmen never had a fairer tar-

get nor greater advantages in a situation, than he presented when he stepped out of that door.

Booze and peppersauce had saved him, he knew very well. Few men can trust their shooting judgment after days of unstinted drinking. Howard had seen the lanky figure of Boone McDanield reeling beside Everett more than once, and no later than yesterday. The other man was still fuzzy of vision, without doubt, from the dose of cayenne Jake had given him last night. But he was still in the fight, with Everett and the one who had slipped through the office window. Three of them left. And the fight was not over yet; it hardly had begun. He wondered what their next move would be, and whether they knew where he had gone.

Maybe not. None of them had seen him scoot behind the lumber. It might be they were thinking he had run into somebody's store, or hidden in a tent somewhere along the street, and go looking for him. Such a move would only defer the moment of final reckoning a little while. They had started out to clean up on him and Jake; there could be no truce, no compromise, no peace. It must be ended, one way or the other, here and now.

Howard took off his hat and stood it on top of the lumber-pile to let them know he was there, crouching low in expectation of a shot. But no; they were not shooting at empty hats. That would be a diversion Milt Everett would scorn.

But what next? Whose move was it? He could not lurk behind the lumber all day, and they

wouldn't hang around the barn waiting for him to come back. He crept to the end of the lumber-pile and took a cautious look at the barn. There was a movement inside the window, a cautious movement of a man leaning to see. Howard fired; somebody answered the shot from the rear corner of the barn.

Somebody was working around there to flank him, and get in on him from the side. They had known all the time where he was, and from the way that bullet headed—it almost pinned his ear to the end of a scantling—he was sure Milt Everett was behind the gun. He was the steady one, the sure one. Booze did not shake him, or else he had sense enough to cut it out when he was planning a fight.

They began to shoot from the barn; Howard heard the bullets chug in the soft wood. The scheme was to make him hug the ground while Everett worked out from the corner of the barn and got him from the side. From his left, now, out in the street, somebody pitched in a shot that knocked dust not three feet from where he crouched. He whirled to that quarter; got a glimpse of a man wearing dark goggles, who ducked behind an abandoned wagon drawn by an indifferent team which even bullets could not seem to stir out of their indolence. Then, while his back presented in the direction he had been watching for Everett, a bullet came reaming along a scantling only a few inches over his head.

Howard squirmed around to face that way again, exposing more of himself than his perilous situation warranted. Everett was standing near the corner of the barn, something in his alert eager pose that suggested a ball player maneuvering to steal a base. One foot was advanced as far as his long leg would stretch, the other anchored near the safety line, ready to pull him back to the shelter of the barn at the first feint Howard might make to put him out. He was as keen in his pursuit of that unfair combat and as zealous to win as if he played a game, indeed. To Everett, burned-out debauchee of the frontier's coarse revelries, it was nothing short of a game, in truth. Man-killing was the one diversion in which his vice-poisoned heart could still experience a thrill.

The man with goggles came up from behind the wagon long enough to throw two shots uncomfortably close to Howard's feet where he stretched along the lumber-pile trying to flatten himself against it like a leech. What the fellow in front of him was up to Howard could only make an anxious guess. He was quiet, but Everett began to play off his base, crouching, gun lifted to throw a shot. Howard pitched one at him, making him skip and cut back to the corner of the barn.

Behind him the fellow at the wagon was growing bold. He put in a shot that knocked dirt in Howard's face. It was so close to him he felt the wind of it like the quick stroke of an open hand.

Howard began to sweat anxiously as the pinch

of his situation tightened, and to cast around desperately for some way of getting out of there. He considered making a dash for his shanty as he pivoted around to drive the pestiferous goggled man back behind the wagon. The fellow flipped to shelter as quick as a fish at the first crack, and Howard improved the lull in the assault to reload.

Everett was out again, snipping at him over the top of the lumber-pile, where his head incautiously lifted an inch too high. Splinters whizzed past his ear; something struck his cheek-bone, tearing the flesh like a claw. It was worth another deep breath of thankful relief to see it was only a long rough splinter. He picked the end of it out of his face with such a feeling of relief that he quite overlooked the close shave it had given his eye. For he thought at first Milt Everett had him that time. He felt that he could stop splinters all day, but he could not stop one of Milt Everett's bullets more than once.

It was time to be getting out of there. They were working it in a way to get him, one edging around on either side, one in front. There was not a great way to go to reach the shelter of his house, such shelter as its thin walls offered. About twenty feet; three good strides. But a man would loom as big as a horse going across that little stretch. And there was that fellow in front of the lumber-pile waiting just such a break.

But he knew they would get him if he remained there. On the other hand, if he tried to streak it

for his own door they'd nail him in the back before he'd gone two jumps. He did not relish the notion of running, and pitching forward with a bullet between the shoulder-blades, the whole town looking on. Vanity is a greater urge than courage, even desperation, in some situations, and Howard's was a situation of that kind. It would be undignified to run, and fall on his face that way.

He shuffled his chances and his schemes, hard-pressed, desperate, the sweat of his extremity streaming into his eyes. Worthless, every one of them. There was just one way out of it, and that was to get up on his legs like a man and fight it out. The resolution revived him like a cool wind. His cornered spirit leaped, the fever of harassment cleared out of his eyes. The world was clear in his vision again; everything was set in its right place, distance and proportion. The one way out was a man's way, to stand up on his legs and fight.

He sprang up so suddenly on the wild exultation of the resolution that he caught the goggled man out of cover, his gun swinging at his side. Howard snapped a shot at him as the surprised man recoiled, ducked, raised his hand to fire. He dropped at the wagon end.

At that same moment somebody who had come up behind Howard began to shoot with a big-bore gun. He got in two or three shots before Howard could even wheel around to meet what he thought was an uncounted ally of the police gang. Poke Jones was standing not more than twenty yards be-

hind him, working a rifle as fast as he could flip the lever, his long coat blowing out in the stiff breeze as if he had come on the run and the skirts had not yet settled back to their somber decorum over his long bony legs.

Milt Everett's heel was disappearing behind the barn; the cowman-looking deputy who had been holding the front was making a run for shelter of the opposite end of the barn, and making it in extraordinary time. Jones had caught him farther away from his base than wily old Milt Everett had ventured to play. It looked like a hopeless case.

Just that moment Jake Zickafoos came tearing around the other corner of the barn. Dr. Green's long-barreled forty-five in his fist. Jake had hit the ground hard when he dropped from the roof, so hard the breath was jolted out of him as completely as any side-wider of an outlaw he ever had straddled had been able to do it. His senses were more or less dispersed with his wind; he had stretched there in complete collapse for what seemed to him plenty of time to die and get to whatever destination his ticket called for, when Dr. Green, brave man and good horse-doctor that he was, came to his assistance in defiance of all the wild bullets that were flying around.

Dr. Green pumped some wind back into Jake's collapsed lungs, gave him a stiff jolt of whisky, felt him over for broken bones and, not finding any, pulled out his gun and put it in the place where a gun was never more needed in the days of any little

cowpuncher from anywhere at all. Jake was up and going in a second. His legs felt a little tangled at the first few jumps, but he was traveling strong when he rounded the corner of the barn and cut across the front of the building to get around where he could see what was going on and play his late hand for what it might be worth to that old shootin' sheepman partner of his.

And as he went pounding along that way, the noise of Poke Jones' big gun in his ears, Jake ran slam into another man who was getting out of the fracas faster than Jake was trying to get into it. They met at the corner of the barn near the lumber-pile, coming together in a head-on collision that jarred their teeth in the sockets and piled them up in a clawing, kicking tangle. Jake was lighter by fifty pounds than the weight he had struck, and he was not traveling more than half as fast. As a consequence he was on the bottom of the pile, and his gun was nowhere, and there was a sense of stifling in his lungs again, and of obscuration before his eyes, pretty much as had followed his drop from the roof a few minutes before.

Jake clinched with the man on top of him, for he had seen enough of him as they struck to recognize him as one of the enemy. He set his claws into the fellow like a catamount, pumped in a little wind and squirmed to turn him before he could get to work with his gun.

Jake kicked and heaved and twisted, but the big beefy man seemed harder to move than a log. He

was not putting up any fight—just sprawling there as if knocked out entirely, but he still had hold of his gun. Jake put all he had into one mighty heave, turned the limp burden, scrambled to his feet and grabbed the gun.

One look at the man's upturned face told Jake he would have no call to use the gun. The man was as dead as any person Jake Zickafoos ever had encountered in that condition, and that had not been a few. He was leaking badly, as Jake could see; there was a blotch of blood on his shirt, some of which had been transferred to Jake's own as they lay in the tangle of the collision.

Poke Jones was standing off a little way, a twist of smoke coming out of his rifle-barrel; and Howard was coming around from behind the pile of scantlings, one side of his face covered with blood, a grin under that old sheepman mustache of his. Jake went to meet him, his heart giving a jump to find him branded but up and a-comin' and frisky as if nothing had happened. The man with goggles was lying off to Jake's right a little way as if he had been spilled out of the wagon standing near. Milt Everett was not in sight.

CHAPTER XXIII

NOT A HANGING CRIME

THE men of Cimarron got up from behind nail-kegs, salt-barrels and feather-beds, grabbed their bulldog pistols and shotguns and came pelting to the livery barn for a shot at Milt Everett, sole survivor of the bandit police force, who had taken refuge there. They came in such great numbers and so rapidly, that Poke Jones and the two partners found themselves submerged in a throng that surrounded the barn on all quarters and pressed upon each other's heels with a foolish sense of security in their very density.

If Milt Everett had begun to shoot he must have reaped a tremendous harvest in that packed field of human oats. They had that shallow bravery of curs and mobs which mounts only when the victim flees, or comes to bay in the hopeless folly of further flight. Nobody knew what part of the barn Everett was in, although many had seen him run into it and none had seen him leave.

As the crowd grew the mob spirit, which is the most ungallant and ungenerous of all human moods, increased until they quickly reached a frenzy of determination. They would put an end to Everett's usurpation of authority, blackmail and

overbearing insolence, if they had to burn the barn over his head to drive him out.

This intention they announced, calling on Everett, with jeers and mocking ribaldry, to show himself. They seemed intoxicated with a kind of hilarious courage, rather than grimly determined to finish the bloody chapter of events which had been three-quarters written before any of them thought of laying hand to a gun.

Some began to shoot into the barn, others to call loudly for a rope, the turmoil rising until all order was submerged and restraint seemed impossible. Too dumb to realize the danger, it seemed they must sweep into the barn soon and try to drag their vanquished oppressor out to an end which few of the most compassionate would have believed unkind.

"They're goin' to ruin that barn!" said Jake, fuming with concern for the new planks and fresh paint.

Jake was standing beside Poke Jones, almost flattened against him, in fact, by the pressure of people all around. Dr. Green's pistol, which he had recovered fairly from under the hoofs of the first arrivals on the battle scene, and the fallen deputy's weapon, which he had confiscated, were thrust into the deep side-pockets of his paint-mussed overalls, and he was clamping his shallow jaw with that vigorous dry motion of mastication peculiar to him in moments of determination.

"Yes, darn 'em!" said Howard, drawing his

mouth in sour expression of displeasure, hand at his oat-straw mustache, the two cartridge belts still slung over his shoulder like bandoliers, the two guns shoved out of sight under the apron of his overalls, behind the waistband of his trousers.

"They'll do us five hundred dollars' worth of damage if we don't put a stop to that fool shootin' into that new barn!" Jake declared with wrathful vehemence. "Dang fools! they couldn't hit that old cuss if they shot it as full of holes as a strainer."

"They're likely to kill somebody in the crowd, as well as ruin the appearance of your building," Jones said. "If you boys will go around and stop them, I'll bring Everett out."

Jake looked at him with a quick turning of the head, his admiration for this valiant mayor growing with every breath. Jake had settled it all with his partner in one grin. A man like Noll Howard was expected to do a day's work with a gun, but a mayor was only expected to run a post office, weigh out sugar and coffee, or engage his talents in some such gentle pursuit. That had been Jake's experience with mayors in one-wire towns—just a kind of ideagraph, a concrete something representing the meaning of a word. But here was a mayor with a backbone as big as a horse, a man who came to the help of his friends when help was needed like overshoes in a blizzard. Jake couldn't quite make him out.

"He's layin' in there with his belly to the ground

waitin' to throw lead," Jake said. "It'd be like puttin' your hand in a hole after a rattlesnake."

"I'll bring him out," Jones repeated, with the quiet assurance of a man who had pulled rattlesnakes out of holes before that day.

Howard handed Jake's belt to him, and buckled on his own, the people around them giving elbow room when they recognized him as the principal on the defensive side of the fight.

"Cut out that shootin' at that barn!" Jake yelled, his high voice cutting the noise with authoritative crack. "Come on, pardner—you and me'll show 'em whose livery barn they're ruinin' with them dam' fool guns!"

Jake started for the space at the corner of the barn where the body of the man whom he had met in a head-on crash still lay, jerking the guns from his pockets, lifting them high as if displaying batons of authority above the heads of the mob. Howard, close beside him, raised his hand in commanding gesture of peace.

"We'll take care of this situation, gentlemen," he announced in calm words. "This is our property, and we're here to protect it."

At the sound of Howard's voice Milt Everett's fancy new sombrero appeared at the unglazed window in the side of the barn, not fifteen feet from where the partners stood. Some sports on the fringe of the crowd saw it and began to shoot with their stub-nosed guns. But as Milt Everett's head was not in the hat, and would not have had a hair

disturbed by all the lead that was pitched toward it if it had been, the hat did not disappear. The hand that held it waved it frantically, and Jake Zickafoos turned to the shooting sports with a sudden menace of his two guns that drove them back as if a flame had lashed their faces.

"Cut out that damn shootin'!" he yelled. "Don't you see he wants to give up?"

"Howard! I want to talk to Howard!" Everett called from the place where he was hugging the floor beside the window.

Howard—Howard: the name ran through the crowd, men stretching and lifting to see. It was a familiar name, almost echoing yet among the tents and raw-sided new houses after the recent campaign, but few realized up to that moment that Howard was the lone man back of the lumber-pile who had held three men off with his guns for the most exciting ten minutes Cimarron ever had experienced.

Now the word began to run through the crowd that Howard was the man for whose life several thousand palpitating citizens had feared during the three-cornered battle that had come to so sudden and dramatic close only a few minutes past. Howard: that was Howard—right over there—that every-day-looking man in overalls with a gun in his hand and another hanging on his hip. A good man to give plenty of room when he called for it. They surged back like an undertow.

Howard approached the window, but kept cau-

tiously to one side, not knowing what vindictive scheme might have prompted Everett to call for him as if he wanted to open negotiations for surrender. Perhaps the old reprobate, knowing that all was up with him in that town, sensing the fate the crowd had planned for him, wanted to single him out and get a shot at him before throwing down his hand. It was unlikely, but not out of reason, considering the mean streak the old villain had in him. Howard stopped within arm's reach of the window and asked Everett what he wanted.

"I want to hand you my gun, Howard," Everett replied.

"Throw it out," Howard said.

Everett was keeping under cover, evidently not placing much confidence in his truce with the crowd, now ominously quiet, which had been expressing such jubilant determination to have his life, and trying zealously to shoot it out of his skin as the numerous bullet holes around him proved.

"I want you to pass me your word I'll be permitted to leave this town in peace if I resign my office and hand you my gun," Everett enlarged on his first proposal.

"I can't make you any guarantees, Everett," Howard replied coldly. "The mayor is here; talk to him."

"Your resignation is accepted," Mayor Jones answered for himself, having overheard all that had passed. "Surrender your gun and come out of there."

"I'll hand my gun to Howard, and no other man," Everett replied.

In spite of this great compliment Howard hesitated to accept the surrender, understanding now that the wily scoundrel had singled him out for no other purpose than to place him in the situation of defender. If Everett surrendered to him, Howard would be bound in honor to protect him from public vengeance. Monstrous thing that it was, revolting as the thought of hundreds snatching at the life of a single man, Howard had no immediate feeling of pity for or desire to protect this old gristle-bone who had tried his best to shoot him down such a little while ago that his gun-barrel must still be warm.

"All right," Howard seemed to agree, "but if you show yourself with it somebody's sure to plug you. Hand it out over the sill."

The gun came up promptly, reversed. Howard pantomimed to Jones, who stepped forward and took it.

Jake looked around to see how far things had proceeded, and grinned over his shoulder at the way his wise old partner had got out from under that obligation.

The crowd had shifted from other points around the barn to that side, the news of the impending surrender having gone among them as quickly as the wind. They gave the dead man more room than he needed where he lay on his back at the corner of the barn, and drew back so discreetly before

Jake's guns that the other one stretched out by the wagon could be seen, like some piece of wreckage the retreating tide still washed but could not engulf again, nor hide.

"Come on out, and come a-steppin'," Howard ordered the man who had made the sight-unseen surrender.

Everett rose up, bareheaded, and threw his leg over the window sill. At sight of him the crowd growled and surged forward. Jake turned his back to the advancing wave and put up his guns. Everett threw one startled look around the threatening surge of wrathful citizens, and started to pull his leg back into the barn.

Howard was holding a gun on him. He indicated by a jerk of the head that Everett was to carry out his original intention. Everett came out with trepidation, cringing against the wall, the sweat of a great fear breaking on his high narrow forehead and rolling down the steep slope into his eyes. The look he gave Howard was an arraignment for a base betrayal.

"I didn't take your gun, Everett," Howard explained. "You surrendered to the proper authority; you'll have to depend on that authority for whatever protection you're to get in this town."

"This revolver is empty," said Mayor Jones, turning the cylinder of Everett's gun with his thumb.

"It's loaded all around!" Everett corrected him indignantly.

"And I fired the last shot in my magazine at this blackmailing villain's back as he ran around the corner of the barn," Jones continued, making a gesture of helplessness, looking around at the eagerly pressing crowd with an expression of utter defenselessness and appeal in his sorrowful eyes.

"Hang him!" somebody yelped.

"String him up!" another bawled in a bull-bass voice.

This was a blacksmith, under no telling what levy of blackmail by the stripped oppressor before him. There was the smut of the forge on his arms; his bifurcated leather apron was pressed with the mold of his heavy thighs.

The clamor for Milt Everett's life rose to a roar; the crowd pushed up to the barn and buckled against the planks, blocking the window at Everett's back. He looked around the narrowing space, a wild light of desire for life in his red eyes, a wild fear of losing it striking him white as the dead. Mayor Jones sighed, making that futile little gesture of resigned hopelessness again; Noll Howard was slipping his gun under the waistband of his pantaloons.

There were loud calls for a rope, and answering shouts that it was coming. Hands that never had closed on the stock of a pistol laid hold of this master gun-slinger, who was so dumb with terror on the brink of that appalling mystery into which he had plunged so many men that he could not whimper one little supplicating plea. Men cursed

him for his oppression, which had been extended far beyond the liquor trade in the last few days as Everett's desire to make while the harvest was ready under his hand increased.

Nobody present except Jake Zickafoos appeared to have any uneasiness over the disgraceful end that threatened Milt Everett; there was not a line of compassion in any other face. Noll Howard was indifferent, probably a little inclined to boost the thing along; Poke Jones looked sorrowful and burdened, but that was only his natural condition which this terrible moment in Milt Everett's career had nothing to do with at all.

Jake squirmed around, turned this way and that, looked at his partner, looked at Poke Jones, fingered his guns and bit hard on the impalpable quid between his teeth, his face almost as pale as Everett's. He took off his hat and rasped his hand across the upstanding hard stubble of hair that grew in a queer little peak almost down to his eyebrows.

"Now, look a-here, men," he said, squaring off to argue it as if the court had appointed him attorney for the defendant at the last moment, "it looks to me like you're pushin' this case a little too fur. I thought you was goin' to take this feller out and shoot him, decent and quiet, but when you square off to hang him, I tell you, gentlemen, I got my doubts about it. He ain't stole nobody's horse, has he?"

Jake looked around him, an appeal for informa-

tion, rather than a challenge of the ethics of the procedure, in his face. There were plenty of replies, but not pertinent answers according to Jake Zickafoos' code; many arraignments on serious charges, but all of them lame in the one essential particular of sufficient evidence for hanging a man in Jake Zickafoos' primitive conception of crime and justice.

He had held up this man for thirty dollars; he had compelled that one's wife to wash and iron his shirts; he had eaten at this one's restaurant, and scoffed at the mention of settlement, as the others had done at Mrs. Morrison's board. He had levied tribute here, insulted women there; he had made a trail of oppression and crime so broad during his short reign in Cimarron that it could not be turned from the gallows-tree by any force of argument or plea in mitigation that all the mistaken sympathy in the world could advance.

"Yes, but you don't say he's stole anybody's horse," Jake said, insistent on that point.

That was the only hanging offense in Jake Zickafoos' book of law. For murder a man might, and should, be shot; for many transgressions such as Everett and his men had been guilty of against his partner and himself, Mrs. Morrison and Josie, a man deserved nothing less than to be shot. But Jake revolted at the thought of hanging a man for any of these crimes. If he stole a man's horse, leaving him without legs, then he merited hanging, and no other possible punishment that men could

inflict. But Milt Everett had not stolen anybody's horse, at least since he had been in Cimarron. Why they wanted to rair up and hang him was beyond Jake's understanding of either morals or law.

"It looks to me like I and my pardner we've got more laid up agin this feller than all the rest of this town," Jake said. "He ain't never gone out gun-fannin' for anybody else, and I and my pardner we wouldn't want to swing him up for that. We'd hand him his gun and tell him to back off and shoot it out, and I'm here to settle it with him that way right now if you'll turn him loose and give us room."

Milt Everett braced up like a wilted cabbage-plant at sunset. New life coursed in his fiery alcoholic channels with the outspoken plea of this late enemy. He said no, he wouldn't lift a gun against either Zickafoos or Howard, but give it back to him and turn him loose and he'd burn up everybody else in the whole damn town. They cuffed him when he made the proposal, and hauled him around, and shook him like a sack of wheat.

Come on with that rope, they said. Well, wait a minute, now, argued the man who had it; wait till he got the knot tied. Damn the knot! any kind of running noose would do. Come on with that rope!

That was when Noll Howard elbowed around and lined up beside his little sawed-off bowlegged partner, and put his hand slowly toward the gun that was swinging in the holster against his leg.

"My partner's right about it," he said, with the forceful conviction of a man who had made up his mind after due cogitation. "I don't believe the old devil's done anything to hang for, and we're not goin' to see him hung. He gave up his gun under the impression that he was handin' it to me, and I'm under just the same obligation of protecting him as if I'd taken it. Step aside, gentlemen; we'll take care of this man."

Howard's two guns leaped out with the words. On his right hand Jake Zickafoos snaked his two weapons from his overall pockets and, back to back, Milt Everett between them, the partners stood in the cleared space that enlarged around them quickly. The man with the rope, which he had been doing up carefully in an elaborate hangman's knot, was left inside this widening circle, reluctant to see his handicraft in a fair way of going unused on Milt Everett's neck that day. He looked at the rope, and looked at the men who had been clamoring for it impatiently a few moments before, a sort of protesting disappointment in his face. Then he grunted his disdain for so much vacillation, threw the rope down and went his way.

Poke Jones was twirling the cylinder of Milt Everett's gun again, giving it a keen scrutiny.

"Why, it *is* loaded, after all," he said.

Jones placed himself between the partners, thus making a three-sided wall around Everett, while the side of the barn made the fourth.

"Gentlemen and fellow citizens," said Mayor Jones in his accustomed rotund voice, "this demonstration must cease. As mayor of this city I command the peace! Disperse without further disorder. This prisoner is in our hands; we will see that he gets the punishment his case merits."

Milt Everett went north on the eleven o'clock train, the one Jake Zickafoos was to have taken on his way to Kansas City. Everett left Cimarron a humiliated and chastened man, and he went without his gun, a condition in which he had not appeared in public for thirty years.

CHAPTER XXIV

RETROSPECTION

"YES, I remember the time me and my pardner and Poke Jones shipped Milt Everett out of town with his neck stickin' on him the way it was made."

Jake Zickafoos spoke of the incident in Cimarron's history as if the lapse of years had dimmed the recollection of old-timers; as of something that had happened so long ago that a new generation had grown up, a new set of adventurers taken the place of the dusty crowd that had poured over the townsite on the opening day. He sighed with the contentment of one whose memories were pleasant to revive.

"He deserved hangin', if any man ever did," Mrs. Morrison declared, with such lively animosity as one seldom shows when speaking of an ancient grudge.

"Maybe," Jake allowed, "but I always was a tender-hearted man. When you consider what that feller's neck'd 'a' looked like after he'd been hung it's enough to make you glad it never happened."

"I never saw anybody's neck after they'd been hung," Mrs. Morrison said, with a sort of reminiscent abstraction, as if it required a little consideration before she could be quite certain, yet did not make any especial difference at all.

"I have. They stretch something scan'alous," Jake said comfortably, as a man had a right to feel whose own neck never had been subjected to that trying indignation.

"Seems to me like it wasn't more'n a couple of days ago," Jake mused.

"It must 'a' been eight or nine months," Mrs. Morrison sighed, as if that represented a quarter-century at least.

"This is August; that was October. Dang near a year! Time's passin' so fast here in Cimarron we'll all be baldheaded before we know it."

"Well, none of us will ever make money as fast as we did in them early days," Mrs. Morrison sighed.

"Back in the old sooner days," said Jake reminiscently. To him it seemed an ancient time, indeed. "I used to call this Sooner Land in them times, but things sure have changed around. Well, me and you nor nobody else in this man's town can complain. Look at this *ho*tel you've got here, all painted and paid for and money pilin' up in the bank as high as the ceilin'; look at my livery and feed business, and my coal yard. I've got two stenographin' girls workin' for me keepin' books and takin' orders and answerin' the telephone. I took a new one on last Monday."

"I hope it was because you needed her, Jake," Mrs. Morrison said gently. "You're always takin' somebody in and givin' 'em a job. It's a wonder

you make anything at all, helpin' as many bums as you do."

Jake did not answer this charge of indiscriminate charity, which any social settlement worker or community chest committee will tell you is most conducive to mendacity and entirely unwise, no matter how worthy the object may seem. Relief of human want on purely scientific, deliberate business basis never had been studied by Jake Zickafoos. If a man looked hungry, or parched-up around the gills for want of a drink, he never had to bring credentials from an investigating committee to Jake before receiving something to mitigate the distress of his condition.

"Um-m-m," Jake hummed around his cigar, looking thoughtfully out the window at the passing traffic on sidewalk and pavement along Avenue A. "Um-m-m-m. Yeah. It always gits my gizzard to see anybody on the bum. But I needed that girl so bad I had to advertise in the paper for her. She's a new one from the business college up in Wichita. She puts paper around her wrists to keep from skinnin' her arms on the typewriter, same as us cowpunchers used to wear leather cuffs when I was in the business a long time ago."

"Not so very long ago, I guess, Jake," Mrs. Morrison said, with that introspective reminiscent complacency of one who has made the hill and is looking back.

"Good while. More'n a year now. Just look at all that's happened to me since then!"

They were sitting in the office lobby of the Hotel Savoy, not the original Hotel Savoy of Cimarron, but the building once occupied by the Longhorn saloon and gambling hall, in a quiet corner, the big pivoted window open to temper the oppressive closeness of the humid summer night. Electric lights and smooth asphalt pavement gave a metropolitan appearance to Avenue A, which the activity along it enhanced. An alert young man with an Elk's pin was behind the desk; guests came and went, and settled down in the comfortable leather armchairs to smoke their after-dinner cigars. For supper had been changed to dinner at the Hotel Savoy, along with the quick shifting of old landmarks and old institutions in those revolutionary days.

"I was offered twelve thousand for Josie's lot to-day," she said.

"You didn't take no twelve thousand for that lot," Jake said conclusively.

"No, of course not. I couldn't sell it, anyhow. It's Josie's, even if it is in my name. No, Mr. Jones advised me to hang on to it. He says it will bring fifteen inside of three months, the way buildin's boomin' in this town."

"Yes, and it'll see twenty by next spring. And look where I'd 'a' been if that old sheepman pardner of mine hadn't stopped me when I was stampedin' past there that day of the openin' and handed me that lot. Just handed it to me, and said he'd feel insulted if I didn't take it! Then

he went to the lawyer and made me out a relinquishment after he'd filed on it. Good as put twenty thousand dollars in my pocket, and me never doin' him twenty cents' worth of favors in my whole dang life."

"All of us owe a lot to Noll Howard," Mrs. Morrison agreed. "If he hadn't cleaned out that nest of gamblers and blisters Milt Everett brought in here this town wouldn't 'a' been a fit place for decent people to live. It'd 'a' gone down to nothing."

"Yes, it'd 'a' shrunk up and blowed away," Jake said soberly.

"And to think he was marshal only a week!" she marveled.

"That was plenty long enough," Jake said warmly, glowing with the recollection of that week's achievement. "Yeah, I remember how he studied it over when Jones wanted to swear him in the morning we shipped Milt Everett out on the 'leven-three. You know the way he puts his hand to his old sprangle-horn mustache and looks like he's half bashful and half insulted when you put anything up to him sudden. 'If you'll change the name of the office to city marshal, like it was when I run for it, I'll take it,' he says to Jones. 'Chief of police don't fit me,' he says. 'I couldn't be that important if I had a star as big as the bottom of a washtub.'

"So Jones said he'd call the council to meet and they'd change it back to city marshal, and Noll told him he'd take the job without pay for one week, or

maybe a day or two longer if I was away that long buyin' horses and stuff for the barn. You know I went to Kansas City the day after we had that shootin', and I didn't see the show, but I'd 'a' give ten cents if I could 'a' been here the night he shut up Purviance's joint and made him ship them girls out of town."

"They said he walked right in here facin' eight or ten men with guns on 'em and told Purviance to put out the lights and lock up."

"Yes, a feller was tellin' me about it the other day—he was tendin' bar for Purviance that night, man by the name of Rollins, drivin' a delivery wagon for one of the stores now. He said that old high-steppin' sheepman pardner of mine made a call on Purviance the day after he was swore in and got the lay of the law, and notified him he could run till nine o'clock that night to git his business closed up and his girls packed up ready to take the one o'clock train north. 'I'll see you in hell!' Purviance told him. 'All right,' says Noll; 'set your clock to keep the appointment at nine.' And when nine o'clock come, old Noll was there."

"Yes, he was there," Mrs. Morrison said softly, nodding slowly several times, as if the memory of that night still lay like a shadow on her heart. "When they told me how he'd walked in there in the face of that gang of dealers and gun-shooters Purviance had around him, I felt so weak I just had to set down and cry."

"And he never even pulled a gun. Rollins said

when he walked in that door at nine o'clock the law looked as big as a rhinoysterous to that crowd. I know it would to me if I saw that old shootin' sheepman comin' toward me reachin' for his gun."

"Well, it's quiet enough now," she sighed contentedly. "Only six saloons where there was thirty then, and half of them not makin' enough to pay the license, they say."

"A man don't never hear a gun pop around here these days," Jake sighed, but in a different key. "I like it peaceable, but not *too* dang peaceable. I doubt if that new jail's a-payin', or ever will."

"Who ever heard of a jail payin'! You talk like it was a hotel."

"I don't know, but I think even a jail ort to pay in this town," Jake ruminated. "I never saw no place I ever was in and went back to change like this town's changed. I was just thinkin' to-day, drivin' around, of all the tents that used to be here in the old sooner days. I don't believe you could count twenty now in the whole place. Hello! there goes old Parson Jones."

Jake pecked on the window, waved an elaborate salutation, and Jones uncovered, bowing to Mrs. Morrison, but holding steadily and solemnly on his way. He was dressed in the same style, although not the same garments, as when he arrived in Cimarron with his huge bundle; as he was on that memorable day when he appeared with his rifle to relieve Howard's pressing necessity in the face of his enemies. Only his long black coat was of

newer and fresher cloth, his somber black hat of a costlier make, but if one whisker had been added or one taken away during the months which had brought such mighty changes to Cimarron, the addition or subtraction was not apparent to the eye.

"Funny how I got that old feller down wrong when he was runnin' his campaign for office in the early days," Jake laughed. "I thought he looked like a man that had murdered his wife. Well, since I saw his wife I said to myself he looked like a man that had a right to, anyway."

"Oh, you git out!" Mrs. Morrison protested, more shocked than amused by the naïve postulation.

"But he's as sound as a bale of hay, that old feller is. You know when that outlaw horse Doc Green was drenchin' raired up and broke his leg, Jones he went to him and he lent him the money to see him through till he was on his feet agin—didn't wait to be asked for it, just took it out of his pocket and laid it on the bed and walked away."

"Yes, Missus Green told me about it. I could 'a' hugged him for it."

"You'd 'a' had to stand on a box," Jake said, glancing at her with a provoking grin, "and his whiskers'd 'a' tickled your neck."

"Oh, you *git* out!" she said, giving him a dig in the ribs.

"But that old pardner of mine he always said he thought Jones was straight, and he don't make any such wild misses as I do when he sizes a man up. Well, I always think of him as my pardner, even if

he ain't in the livery business with me any more. Since he sold out to me and went into the bankin' business with Jones and them Wichita millionaires I feel like one side of me's missin'. Reckon I'll git used to it in time, like a one-eyed man. He sure was a pardner for any man to have—or any woman, either."

"Yes," said Mrs. Morrison, smiling softly, sighing happily.

Jake pushed the window open a little wider, making that half-whistling sound peculiar to people when they burn their fingers, or desire to express excessive discomfort over other things, the weather especially.

"Don't believe I ever felt a hotter night since I come to Cimarron," he said.

"Well, it's cool in Colorado," Mrs. Morrison remarked, as if reminding him of something that merely recalling would tend to mitigate his present discomfort.

"Yes, and I hope he's got his coat off and his collar open and takin' it all in. He was a pardner in a million."

"But I never thought I'd see the day when he'd be away on a weddin' trip with my little Josie," Mrs. Morrison said, with unbounded satisfaction, incalculable pride.

"*You* didn't?" said Jake, in vast surprise. "Well, I did; I knew it from the time she come over to tell us about the jumper on her lot that first night here in Cimarron. Ye-e-as! I read it in the cards."

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